

**PUBLIC WORKS**

**AND**

**PUBLIC TRANSPORTATION COMMITTEE**

**of the**

**SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Public Works and Public Transportation Committee of the Suffolk County Legislature was held in the        Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday, August 15, 2006.

**MEMBERS PRESENT:**

Legislator Jay Schneiderman • Chairman

Legislator Wayne Horsley • Vice•Chairman

Legislator Kate Browning

Legislator Edward Romaine

Legislator John Kennedy

Legislator Louis D'Amaro

**ALSO IN ATTENDANCE:**

George Nolan • Counsel to the Legislature

Kevin Duffy • Budget Review Office

John Ortiz • Budget Review Office

Justin Litell • Aide to Legislator D'Amaro

Vinessa Manfre • Aide to Legislator Cooper

Ben Zwirn • County Executive's Office

Gail Lolis • County Attorney's Office

Charles Bartha • Commissioner of Public Works

Robert Shinnick • Director of Transportation/Department of Public Works

William Hillman • Chief Engineer/Department of Public Works

Edward E. Barr • President, North Ferry

John Kenny • Chairman, North Ferry

Julie Ben Susan • General Manager, North Ferry

Bridgford Hunt • General Manager, North Ferry

Thomas Sledjeski • Attorney, North Ferry

Tom Mazzola • Eschbacher Engineering

Eugene L. Wishod • Attorney

Andrea Lohneiss • Town of Riverhead

Christene Fetten • Town of Riverhead

Micke Giacomaro • East Yaphank Chamber of Commerce

Clifford Hymowitz

All Other Interested Parties

**MINUTES TAKEN BY:**

Lucia Braaten

**MINUTES TRANSCRIBED BY:**

Lucia Braaten and Alison Mahoney, Court Stenographers

***[THE MEETING WAS CALLED TO ORDER AT 1:40 P.M.]***

**CHAIRMAN SCHNEIDERMAN:**

Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this 15th Day of August, 2006. If you all will rise and join us for the Pledge of Allegiance, led by Kate Browning.

***(Salutation)***

I think we're going to jump right into public portion here. I don't have too many cards. There's a three•minute period for each speaker. We'll start with Edward Barr, if he'll come forward. Mr. Barr, nice to see you.

**MR. BARR:**

Thank you. I am Ed Barr, President of the all volunteer Board of Directors of the North Ferry Company.

By 2000 it was crystal clear that North Ferry was in trouble. Our boats were old and poorly maintained, waiting lines were long, our customers were furious and our crews were abused on a daily basis. Shelter Island merchants were inflamed. Bread trucks refused to serve the IGA Supermarket, and the field truck was charging demurrage for their hour•plus wait every morning. We, a refocused Board and a new management team, took a risk and launched a modernization program. First came the 2.8 million dollars worth of wider slips, and our first new 25•car vessel, the Mashomack, in 2003. Two years later, in 2005, for an additional 2 million dollar investment, we bought the second 25•car ferry, the Menantic, on line. Lines vanished and behaviors changed. Shelter Islanders who had dreaded going off the Island, particularly in the summer, found they could do so even in the peak of the summer.

So where are we today? Our ferry volume has grown steadily at an annual rate of 3% overall in cars, but 6 1/2% for truck volume. What used to be a four month heavy traffic season is now a six month heavy season, and we have a steady flow of 300•plus commuters each day all year round. These commuters no longer have to allow an hour wait every morning in order to ensure that they will be to work on time. We feel at present our service is excellent, but we are right on the edge of the slippery slide back to the bad old days, not having enough capacity to fill our service requirements.

Last week, when we had to take a boat off the line unexpectedly for a small repair in mid day, the line was a half a mile long in less than one•half hour. So we have accelerated our plans to build a third new boat.

There is a high demand and short supply for ship building as a result of Hurricane Katrina. Big commercial yards are working at maximum capacity to furnish supply boats for oil platforms damaged during the hurricane. They have a backlog of two to three years before they can start a boat. It would push our boat back to late 2010 or 2011. The shipyard that we deal with is a small yard. They have built two great boats for us. And while they have agreed to build a boat for us if we can start with them in the Fall, they have also indicated they would not be able to promise a one•year building slot if we were to try to place an order in 2007 or 8 because of their backlog.

Like everyone else, the impact of increased fuel costs is now taking its toll also on us. While payroll and employee expenses account for our largest expense category, our fuel expense has increased from 164,000 in 2003 to \$420,000 budgeted for 2006, and with oil now above \$70, it's going to be a bit more.

So we are asking for rate relief to support construction of a third 25•car boat and to offset our increasing operating expenses headed by fuel. Also, we have received our commitment from the Bridgehampton National Bank to fund our new boat. We have a signed letter from them. And we have a signed contract to build a new boat with Freeport Shipyard contingent upon receiving the required rate. And I have copies here and we will E•mail that to the Clerk for you.

The nature of our proposed increase is twofold. It impacts passengers who currently pay \$1 and can be increased to \$2, with a discount for residents and commuters in cars. That one•dollar base rate has been in place since 1993.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Barr, I'm going to ask you •• since that's your three minutes, I'm going to ask you just to sum up. I'll give you another minute.

**MR. BARR:**

Okay. So we have an increase for one to two dollar for passenger rate, and we're asking for an increase, and that's the first since '93. We're asking for the first truck increase since '91, primarily focused on big trucks. We also are pleased that the BRO has issued a report supporting our request. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Mr. Barr. Our next speaker will be Eugene Wishod.

**MR. WISHOD:**

Mr. Chairman, in my prior comments to the committee on August 1st, and to the full Legislature at the public hearing held on August 8th, I pointed to some serious flaws in the proposed Local Law, namely the immediate effect date, rather than the phasing in over a period of six to twelve months, so the development community and other interested parties could adjust to this radical increase in connection fees. Even more important, the absence of any grandfathering for connections that have already received preliminary or final approval, and finally, the potential for damage to the groundwater resulting from an increased use of cesspools, rather than connections to sewer districts.

I'd like to focus my comments this afternoon just very briefly on Section 5 of the bill, which is the SEQRA determination. The Local Law proposes a •• characterizes this as a Type 2 action under SEQRA, and thereby exempt from environmental review. The Local Law cites a regulation in the statute to support that. The statute cited has nothing whatever to do with exemptions from environmental review. It talks about the data that should be included in an Environmental Impact Statement.

The regulation that's cited talks about exemptions from preliminary studies and processes that don't commit the agency, namely the Legislature, to commence engaging or approve action. Well, there's nothing preliminary about this bill. It commits the Legislature to a fixed definite substantial doubling of the connection fee to a Suffolk County agency •• to a Suffolk County sewer district. And the point is, in light of the potential for adverse social, economic and environmental impacts, I don't believe the proposed legislation fits into a Type 2 action. There ought to be an Environmental

Impact Statement. You ought to hear from all the interested agencies that you have not heard from and interested parties.

By way of example, where did the 30•dollar figure come from? Why not 20, 25, 28.50? I don't know and I don't think the committee knows. Where are the comments from the agencies most involved, the Sewer Agency, the DPW or the Health Department? I haven't seen any of the comments. What about the Suffolk County Planning Commission or Jim Morgo's Affordable Housing Department? In my opinion, this bill will kill any affordable housing project located within close proximity to a sewer district. Affordable housing is dependent on density and lower development costs. This bill will increase the cost of a single family home to connect to a sewer district from forty•five hundred dollars to \$9,000, and I think you can kiss good•bye any affordable housing project that the Sewer Agency would direct connection to a sewer district, or a sewer district that may have the capacity to expand. And, also, this bill arises based on the sponsor's comments at the public hearing.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Wishod, if you could ••

**MR. WISHOD:**

Yes, I'm coming to an end.

**CHAIRMAN SCHNEIDERMAN:**

If you could just come to an end. Thank you.



**MR. WISHOD:**

From the Southwest Sewer District. But there are other sewer districts affected. There's a project, a 7 million dollar project now to expand the District 11 SDP. There's a 9 million dollar project to expand the Windwatch SDP. I don't know right now what effect, if any, this bill will have on that.

**CHAIRMAN SCHNEIDERMAN:**

Can I just ••

**MR. WISHOD:**

The point I'm trying to make is there's no •• there's no urgency to this bill. Make a positive declaration.

**CHAIRMAN SCHNEIDERMAN:**

Could I just ••

**MR. WISHOD:**

Let everybody comment on it and let's have an Environmental Impact Statement.

**CHAIRMAN SCHNEIDERMAN:**

Let me ask you a question on that.

**MR. WISHOD:**

Yeah.

**CHAIRMAN SCHNEIDERMAN:**

On the pos dec issue. As a Type 2 action, there is no pos dec'ing.

**MR. WISHOD:**

That's correct.

**CHAIRMAN SCHNEIDERMAN:**

So you're saying it's in the wrong category. Is it your belief that the increased fees will lead to development occurring without connecting using standard cesspools and septic systems which will have a greater impact on the environment, and, therefore, that's your •• from the SEQRA perspective, that's the concern that increasing the fees will lead to more groundwater pollution?

**MR. WISHOD:**

That's one of the impacts of it, certainly.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**MR. WISHOD:**

Another is that the County has had a policy for 25 years not to proliferate sewage treatment plants. And if you're a project that's close to a County sewer district that has capacity, the agency is going to require you to connect or expand that district. That's certainly an environmental impact. And I think the affordable housing connection is a very critical one in terms of what impact this will have on affordable housing projects that for one reason or another have to connect to a County sewer district. These things have to be studied and I don't think the study has gone into this bill.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir.

**MR. WISHOD:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

D'Amaro, Legislator D'Amaro, did you want to comment?

**LEG. D'AMARO:**

No.

**CHAIRMAN SCHNEIDERMAN:**

Oh, okay. All right. Our next speaker is Christine •• I'm having trouble with the last name. Speaking on Peconic River front.

**LEG. ROMAINE:**

County Road 63.

**CHAIRMAN SCHNEIDERMAN:**

County Road 63? What is the ••

**LEG. HORSLEY:**

And here's Christine.

**CHAIRMAN SCHNEIDERMAN:**

Can you read that last name?

**MS. FETTEN:**

Hello. My name is Christine Fetten. I'm the Assistant Town Engineer for the Town of Riverhead.

**CHAIRMAN SCHNEIDERMAN:**

Can you say your last name again?

**MS. FETTEN:**

Fetten.

**CHAIRMAN SCHNEIDERMAN:**

Fetten, okay.

**MS. FETTEN:**

Yes. I'm sorry. I'd like to, if I •• if I may, defer my comments until after Andrea Lohneiss speaks.

**CHAIRMAN SCHNEIDERMAN:**

Sure. Okay, we'll just ••

**MS. FETTEN:**

Okay?

**CHAIRMAN SCHNEIDERMAN:**

We'll take Andrea next. Andrea Lohneiss?

**MS. LOHNEISS:**

Good afternoon. My comments are with regard to Resolution 1984•06. I'm the Community Development Agency Director for the Town of Riverhead, and I do have two handouts, if it's possible to distribute them. Yes?

**CHAIRMAN SCHNEIDERMAN:**

To the Clerk, please.

**MS. LOHNEISS:**

The Town of Riverhead successfully procured State and Federal funds for a 2 1/2 million dollar riverfront improvement project, located east of Peconic Avenue, County Road 63, along the Peconic River. The bulkhead was seriously deteriorated, and pedestrian and bicycle amenities were sought to improve use of the riverfront by residents and visitors to Downtown Riverhead. While the project did not involve the County roadway directly, the entrance and exit to the project area are in the County right•of•way, and involved curb and sidewalk improvements paid for by the Town and the County's jurisdictions and necessitating a permit.

In response to the permit application, DPW staff requested modifications to the design. The primary issue was that the Town was retaining the left turn out, which has existed for decades, rather than eliminating the exit option to the south, which is preferred by DPW.

Several of the recommendations made by DPW, such as the elimination of the mid•block crossing for pedestrian safety, were incorporated into an amended permit application, and which was submitted to DPW. In addition, the Town retained the traffic engineering firm, Eschbacher Engineering, to conduct a traffic engineering evaluation of the subject area and present recommendations in terms of the operation of the driveway, as well as a proposed future crosswalk. DPW did not approve the application or the amended application, but suggested that the need for a County permit would be eliminated if the Town were to accept ownership of the road.

A letter, dated January 19th, 2006, from Bill Hillman, which you have, states, "This department would be willing to relinquish to the Town of Riverhead maintenance and subsequently jurisdiction of the portion of County Road 63, between New York State 25 and the Flanders traffic circle. We, the County, would retain maintenance and responsibility of the culvert under County Road 63 while the Town would be responsible for the road infrastructure. Should Riverhead take maintenance of this roadway, permits from this department, DPW, for work or modifications in the right•of•way would no longer be necessary." This compromise seemed reasonable to the Town. The Town would assume road maintenance. The County would retain culvert maintenance, as it commonly does in such situations, and the Town could in the future make pedestrian and bicycle safety improvements that the County would not permit.

The County also has a drainage project planned for this area, which the Town had accommodated with its project, and which we anticipate will proceed. In addition, the County Executive awarded a \$50,000 special Downtown Revitalization Grant to the Town in 2004 for the construction of a bicycle and pedestrian connection between Grangeble Park on the west side of Peconic Avenue and the Riverfront Park on the east. This pedestrian crossing was included in the evaluation by Eschbacher with recommendations for implementation. However, it would only be possible if transfer of the roadway ownership occurs.

In summary, the Town would like to proceed with transfer of the County Road from the Town line to County Road 25, a distance of approximately 200 feet, including road maintenance, but not bridge maintenance. The Town may then complete the river front project and future pedestrian and bicycle safety improvements in furtherance of its downtown revitalization goals.

Thank you very much. And I do have Tom Mazzola from Eschbacher, as well as Christine Fetten to answer any engineering questions you may have.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Romaine.

**LEG. ROMAINE:**

Thank you for appearing. My resolution that I introduced 1984 is to transfer approximately 200 hundred feet of County Road 63. If anyone's familiar with Riverhead, that's where you make the circle and you go up that short street



to 25. Half of that is the Town of Riverhead, the southern half is the Town of Southampton. The Peconic River traverse is under that road in the culvert. The County, and I'm reading this letter of January 19th, signed by Bill Hillman, has said that they would keep the culvert, maintain the culvert, and the Town could, if they wished, take over that portion in the Town of Riverhead of CR 63. The Town Board has passed a resolution. I'm familiar with Highway Law that allows the Board of Supervisors to move on this, and, thus, the resolution is submitted. And the benefit would be allowing Riverhead to move ahead with whatever revitalization plans. And, quite frankly, the County has less liability, less maintenance, less worries, and that's the thrust of this bill.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Romaine, can I ask you ••

**LEG. ROMAINE:**

Sure.

**CHAIRMAN SCHNEIDERMAN:**

•• since the road goes from •• part of the road you're talking about is in Southampton ••

**LEG. ROMAINE:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

•• and part of it's in the Town of Riverhead.

**LEG. ROMAINE:**

Right.

**CHAIRMAN SCHNEIDERMAN:**

So this would be just the portion in the Town of Riverhead?

**LEG. ROMAINE:**

Just the portion in the Town of Riverhead north of the bridge, about 200 feet. But it's, as you know, widely traveled, and it will relieve the County of an expense and the liability, and the Town is willing to take that unto themselves. I certainly think ••

**CHAIRMAN SCHNEIDERMAN:**

So does that mean from the •• kind of the high point of the bridge?

**LEG. ROMAINE:**

Yes, that's right.

**CHAIRMAN SCHNEIDERMAN:**

What happens to the other section in terms of maintenance, snow removal?

**LEG. ROMAINE:**

Well, the County is, obviously, responsible for a County road. They're responsible for County Road, which, as you know, is in front of the County Center and this is just kind of an extension around the turnaround, so they would continue to maintain it.

**CHAIRMAN SCHNEIDERMAN:**

All right. This is ••

**LEG. ROMAINE:**

And Riverhead would maintain this •• its portion of the road. They're obviously not going to maintain the Southampton portion of the road, it's outside their Town boundaries.

**CHAIRMAN SCHNEIDERMAN:**

Right. And I'm just imagining if there's a snowfall and it has to be plowed, you're going to need some kind of arrangement so that you don't have half the ••

**LEG. ROMAINE:**

It's the same type of arrangement that happens all the time where a County road begins or ends and a town road begins or ends and it ••

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**LEG. ROMAINE:**

Right.

**CHAIRMAN SCHNEIDERMAN:**

When the Commissioner comes forward, we can ask that question ••

**LEG. ROMAINE:**

Good.

**CHAIRMAN SCHNEIDERMAN:**

•• in terms of how logistically that gets handled. Thank you, Miss Lohneiss. Christine Fetten.

**MS. FETTEN:**

Hello. I'm here to address any further questions that you may have for this

**CHAIRMAN SCHNEIDERMAN:**

Any questions from the committee for Miss Fetten? Thank you.

**MS. FETTEN:**

Okay.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Our next speaker is Michael Giacomaro. I didn't say it right?

**MR. GIACOMARO:**

You said it right. You said it right.

**CHAIRMAN SCHNEIDERMAN:**

I said it right?

**MR. GIACOMARO:**

Oh, yeah.

**CHAIRMAN SCHNEIDERMAN:**

I got the •• I saw the thumbs up.

**MR. GIACOMARO:**

Most people don't. And thank you for at least making a good attempt. Thank you.

Good afternoon, Board Members and Mr. Chairman, and also audience. My name is Mike Giacomaro. I'm President of the East Yaphank Chamber of Commerce.

Nestled among the trees, as you begin to head out to the Hamptons on the L.I.E. at the infamous alternate route, Exit 68, is an industrial park of East Yaphank. There are many businesses located on sprawling acres that at first glance would hardly be noticed. However, as you enter the industrial park, you'll find a thriving and expanding metropolis of companies. Some have increased operations while others have moved into the industrial park. But one of the important ingredients that most industrial parks have is missing here. It is a vital public link connecting working people to the industrial park with bus service. Now, I'm not talking about bus service for the executives or the management of companies, of which they still could use, but what we're really talking about is for the working class people. Also would be at a disadvantage would be the Suffolk County labor pool, who wouldn't be

connected to the industrial park. So without this vital link, only working people with cars are able to get jobs here, which puts the industrial park at a disadvantage, but it also puts the Suffolk County labor pool at a disadvantage of not having the businesses from this industrial park available to work for.

So I would ask that you, please, consider the resolution for expanding Bus Route 7•D to include the East Yaphank Industrial Park.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir.

**MR. GIACAMARO:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. Mike, you're talking about my bill, 1978.

**MR. GIACOMARO:**

Yes.

**LEG. ROMAINE:**

And although the industrial park is within my district, right across William Floyd starts Kate Brownings district and she's very familiar with this area. What we're trying to do is •• the whole purpose of public transportation is to try to get the public to use public transportation. If we have a bus that is going up and down William Floyd Parkway, why not go into the industrial park, which is about a mile or so in length and has a couple of streets in there, and at least make some stops to encourage workers in that industrial park to use bus transportation. Would you not agree?

**MR. GIACOMARO:**

Oh, unquestionably. I mean, I wholeheartedly, that I agree with that, yes. It's very important, especially across the street is the Seventh Precinct, and for them to have access to that as well, so ••

**LEG. ROMAINE:**

Public transportation. And I would simply refer to my colleague, who I share the boundaries, although that entire industrial park is within my district, I think Ms. Browning can speak about the necessity of making public transportation available to many of the factory workers that work in that industrial park.

**MR. GIACOMARO:**



And we're only talking a small distance, by the way, relatively speaking, less than a mile.

**LEG. ROMAINE:**

Right.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir.

**LEG. BROWNING:**

No. I'm good with it.

**CHAIRMAN SCHNEIDERMAN:**

All right. Next speaker { Sy Gruzer } .

**{ MR. GRUZER } :**

Good afternoon. My name is { Sy Gruzer } . I'm an attorney with the { Webber Law Group } . I addressed most of you perhaps, or perhaps all of you, last week at the full Legislature session on the issue of the proposed increase in sewer connection fee. And if I could just, you know, supplement that with a few additional remarks. And the objection to the proposed resolution isn't an objection to an increase in the sewer connection fee, it's an objection to the

proposed doubling of the present fee without providing the public with a basis that they can examine to determine whether the proposed increase is appropriate or not. A hundred percent increase in the fee is an extraordinarily large increase, and it may very well be perceived by developers as a sign •• as a signal that Suffolk County is not welcoming to development, that Suffolk County's going to be passing on large costs of development.

One of the ways I think that the County has to deal with that issue is to ensure that there's public acceptance of whatever increase. There is going to be an increase that the Legislature decides on. In order to do that, one, they have to be willing, they have to be able to provide numbers to the public that the public can scrutinize and should be done before a decision is made, so there could be comment on those numbers, and a rationale as to based on those numbers what's the reason, what's the formula for coming up with the proposed increase.

In addition to the amount of the increase, there's also the issue about when any such proposed increase will become effective and who it will be applied against. Again, it's not unusual in changes in legislation for there to be a grandfathering clause for certain, in this case, projects that are fairly well along the approval process to be grandfathered in under the old rate, in large part because their economic models, their financing are already set based on a 15 dollar a gallon fee. And while it's true, that other costs go up during the interim of the approval process. They rarely go up 100%. It would be, I guess, grandfathering. The smaller the increase, the less the importance of grandfathering, or perhaps the shorter the •• the shorter the period that's necessary for grandfathering. But the converse is true, the larger the increase turns out to be, the more important it becomes to have a grandfathering period and a longer grandfathering period. And I would suggest that, you know, there are kind of points that could be looked at for grandfathering, either projects that have already had conceptual approval or formal approval already for connecting to a sewer district. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir. Okay. That concludes our speaker cards. We'll move on now to presentations. We have two on the agenda. First is a presentation on the North Ferry fare increase. And, Kevin, are you going to be doing this? Kevin Duffy from Budget Review doing this presentation.

**MR. DUFFY:**

I will summarize our report, and I believe North Ferry is also here to answer any questions. You might wish to have them come to the table.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Barr and any of your associates who want to step forward to the table.

**MR. DUFFY:**

I will just briefly summarize our report, and then ••

**CHAIRMAN SCHNEIDERMAN:**

Just for the record, Mr. Barr is the President of the Board of Directors for North Ferry at the table, as well as Bridge Hunt and Julie Ben Susan.

**MR. BARR:**

Yes. Bridge is the head of the Ferry and Julie is the head of the •• General Manager of the Property Owners Association, the parent company.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Mr. Duffy?

**MR. DUFFY:**

Yes. The Budget Review Office issued our report date August 4th, 2006. To summarize the report briefly, we found that North Ferry continues to provide a vital transportation service in a professional manner. We found that their cash control system is sufficient to both safeguard the company assets and protect the public interest. We determined that they complied with the provisions of Chapter 287 of the Suffolk County Code, and have submitted the required certified audited financial statements, and proof of satisfactory peer review has also •• of their accountant has also been presented. The company rate request affects two categories, the passengers and the truck rates, and will generate approximately \$680,000 in additional annual revenue, a 14.9% increase.

The company has engaged in a modernization. In 2002, they upgraded their fleet with the purchase of a 25•car ferry boat. This boat was financed from company assets of \$500,000, and they took out a loan for 2.8 million dollars. The Legislature in 2004 granted them an additional rate increase of 19%. This rate increase was composed of three components. In it they sought to purchase a second new ferry, and they also sought to incorporate the first into the rate base, and they also sought additional increased operating costs. The company and the present rate increase in 2006 is seeking 14.9%. The

two categories, as I indicated, that will be affected are the passengers, which the company is increasing the cost from one to two dollars, and establishing a discounted round trip for qualified passengers. To qualify for the discounted rate, passengers must either be working and accompanying a driver with a commuter ticket, or accompanying a Shelter Island resident using a roundtrip ticket. This rate increase or this portion of the rate increase is expected to generate 10.3%, or roughly \$470,000. The truck increase will affect both the base charge and the length charge. It's expected to generate \$211,000 and is a 4.6 increase.

We have in our report outlined what the company is seeking. We propose two alternatives for the legislature. If the first •• if the company is not able to supply the documentation, we suggested that the resolution be made conditional to them meeting various outlines or requirements. The second is if the company, which my understanding, they have the information here to present to the Clerk of the Legislature, is able to present the documentation, then we don't feel that the conditions are necessary.

Our only concern, which we've discussed since I've been with the Budget Review Office for the last 17 years, is that the rate structure that is in place on both Shelter Island ferries, both the North and South, tends to favor the residents. The casual one•way user bears the burden of the cost. That's what our concern is, and the Legislature has noted our concern in the past, but has sanctioned the resident discounts. If there are any questions, I'll try to answer them.

**CHAIRMAN SCHNEIDERMAN:**

Questions? Legislator Romaine.

**LEG. ROMAINE:**

Yes. I don't live on Shelter Island, but a lot of people do. In fact, almost a majority of its citizens are senior citizens, many of whom have to leave the Island for medical appointments, or whatever. When you're a resident there and you need to get to the larger Island, which we live on, there is a reason for a discount, because it makes it more feasible to live on that Island. A casual user will not be hit every single day for that expense. A casual user is someone that might drive over once a week, once a month, once a year. But the people that live there need the services of a ferry. And if you made the ferry too expensive, you make living on Shelter Island far less economically feasible for a majority of the residents that live there. And as I said, I believe that close to a majority of residents happen to be seniors on Shelter Island. I just want to put that on the record.

**CHAIRMAN SCHNEIDERMAN:**

The once•a•month user ought to buy the book of ten, because I think that's a better deal. No, this is a ••

**LEG. ROMAINE:**

Yes, you can get discounts.

**CHAIRMAN SCHNEIDERMAN:**

This has been a concern of mine, too, that I know that the residents of Shelter Island don't enjoy the traffic going through Shelter Island and I •• however, I don't want the rates be used as a disincentive to keeping people from going through that. We have terrible problems with traffic on the South Forth. It's quite a distance from an area like my home in Montauk to go all

the way around through Riverhead just to get to Greenport or East Marion. So it has to be a reasonable fare.

This is not a for-profit company, though it is a property owners association that does take out a certain amount of money in the form of a dividend, though it's my understanding that that's been fairly stable and will continue to be stable.

My one concern that I have with these rates was the doubling of the passenger fee. And I understand, of course, that gas has gone up. We in this County have done a lot of work to try to encourage people to use public transportation, to carpool, to cut back on consumption of fuel, and I don't want to discourage people from carpooling. And for, let's say, a family of four getting on that ferry, let's say, going one way, which is a nine dollar fee, plus the additional currently dollar per person beside the driver, so nine, say, ten, eleven, twelve, suddenly you're going to double the fees on those passengers, thirteen, fourteen, fifteen dollars. It's getting pretty expensive to go a short distance on a ferry. And is there anything you can do? That's the one concern I had. You know, I would have preferred not to see this fee applied to the car passengers. Is there anything you can do to ease that burden?

**MR. BARR:**

Yes. We have amended, and I believe you have a copy, our rate request to raise the level at which passengers will pay fees, any fee, from eight to ten years of age. That's one thing that we've done. Secondly, it's our experience that, as you know from this, we have •• we are not increasing the charge for cars and the drivers of cars.



Now, I think Kevin made the point, Kevin Duffy made the point that this was part of a modernization program when we started. This is the third boat. It completes the modernization program for us. In the first •• our first boat, what we had, the only source of money we had was to use some of our operating funds, which came from an increase in the rate for the so•called casual, the cash•paying people.

The second increase, which was to assist us with {Menantick}, was an increase that applied to the cash people, but also to residents and to commuters. And I would like to emphasize that we have 300 commuters that leave the Island every morning and come back every day, and they come back and leave at about the same time, and it's very much of a bunched up demand. And without service, they wouldn't be able to work off the Island effectively.

This last time, we looked and said, "Look we've hit the casual cash customers, we've hit the residents on this. What are the areas we have not changed?" Well, we haven't changed passenger fares since 1993 and we haven't changed truck fares since 1991. One other thing I would say to you is we've done some research on what are other people paying for passenger fares? Now, distances are different, but even when you adjust for distance and time, you'll see that these rates are actually quite reasonable at \$2, and particularly reasonable with a discount, which is \$3 for a roundtrip ticket for anyone that's you know, a resident or a •• or someone who has a discount book. You don't have to be a resident to get that privilege. For example, the Davis Park Ferry charges \$7.50 one way. The New York Waterways, which goes from {Wehawken} to Midtown Manhattan charges \$5.75 if you buy a book of ten. And if you have to go across, as some of us do on our way to Connecticut and Boston, you know, we pay \$12 dollars for a passenger, for each passenger, no discounts, no deals, no anything.



We need this increase in order to finance this third boat and complete our modernization program. Without this increase, and you saw from Kevin's analysis, that two-thirds of the increase is coming from the passenger fare. We think it's equitable that trucks and passengers, which haven't paid before, pay a fair share this time through. It looks like they're paying a lot, but they've paid nothing in the previous times. Without that, we will not be able to get the boat, and we are •• I wish to emphasize, it is the judgment of North Ferry management that if we have to wait, we miss this window and we have to wait and not get a boat until end of 2010, 2011, we will be back to having lines that ran previously for us in excess of one hour each way. It clogged the Village of Greenport, backed up into the residential areas of Shelter Island, and there was nothing we could do about it. And without a third big boat, we won't be able to do anything either.

**LEG. ROMAINE:**

Mr. Chairman. By big boat, let's •• you own three small boats. The small boats are 12 cars. The big boat is a 25-car. That doesn't count for trucks that take up far more space. So it's very simple, that if there isn't another large boat purchased, your small boats and the large boat that you currently own will not be sufficient and backlogs will occur in terms of waiting times.

**MR. BARR:**

That is absolutely correct, Legislator Romaine. And, also, the big boats are not only two times as big in that they take 25 versus 12 cars, but they can take up to four times the numbers of trucks. The little boats basically can take one big truck and even in some cases not that. We've had to previously have oil trucks come over when they were on the small boat carrying less than full capacity and charging a flat charge to the Island.

**LEG. ROMAINE:**

And why would they •• why would they carry less than full capacity?

**MR. BARR:**

Because the boats have a stability letter from the Coast Guard that restricts the amount of weight that the boat can carry. So there are two limitations; weight. The big boats, while only double in car•carrying capacity, have four times the weight•carrying capacity according to the Coast Guard.

**LEG. ROMAINE:**

So you could take trucks sooner, they could be loaded fully, they •• many times in the past you could only take one truck at a time and they could not be fully loaded, whether it be oil trucks or delivery trucks, or whatever, and as a result, the end result was higher prices, because they could carry less.

**MR. BARR:**

That's correct. We have here a picture, and it's fairly typical of the big boat and what it carries, and it's hard to see from where you are, I'd be happy to leave it for you, but you'll see that it carries multiple trucks and also carrying cars on the same •• the same run.

**CHAIRMAN SCHNEIDERMAN:**

If you'd give me one second, and maybe this is for Kevin to answer, that the new rates that are being proposed in terms of trucks, I guess the question in my mind is trucks from Shelter Island versus trucks off Shelter Island in that

I want to make sure we're not creating an unfair competition situation where contractors trying to do work on Shelter Island, it gets so exorbitant. In other words, to favor the contractors from Shelter Island doing work on Shelter Island.

**MR. BARR:**

If I may, Mr. Schneiderman, I think I can respond to that. We are a •• when I first came to Shelter Island in 1969, it was unthinkable that you would hire someone, whether it was skilled or unskilled, that wasn't from the Island. Today we have an inadequate workforce. There's almost no trucks that go off of Shelter Island other than someone that has a moving business that moves things for Shelter Islanders to and from. Everything else is trucks coming on, which then have to leave to go back, of course. We don't have any contractors that are working off the Island. We are contractor deficits. We're bringing them in from outside, plumbers, people building homes, and so forth.

**CHAIRMAN SCHNEIDERMAN:**

Will these rates •• it affects all trucks or of a certain •• it only kicks in at a certain size?

**MR. HUNT:**

The majority of the increase from the truck rate addresses the per•foot charge that's charged on trucks over 18 feet in length. So the typical van operator or small truck operator that's coming as a journeyman, they're not impacted. There's a one dollar increase in their base charge. However, the

trucks that are over 18 feet, we currently charge 50 cents a foot. Those are your tractor trailer trucks, your tanker trucks. That per-foot charge will go to a dollar per foot. And it ••

**CHAIRMAN SCHNEIDERMAN:**

So let's say a truck bringing water in to fill a pool, because I know that you require that for your pools ••

**MR. HUNT:**

That truck will go from \$60 to \$75. That's a special rate truck.

**CHAIRMAN SCHNEIDERMAN:**

Some of this rate increase is actually ultimately going to get passed along to your residents of Shelter Island, since this is grocery trucks, and water trucks, and fuel trucks and ••

**MR. HUNT:**

The grocer trucks are a good example. The grocery •• the charge to the grocery store used to be much greater in lost time and demurrage charges on the line when our lines were long. And, in fact, the operator of the grocery stores is really happy that we're trying to capitalize a third boat. While his truck charges will go up on a •• \$50 on one of the tractor trailer trucks, which is nothing to sneeze at, containing his cost of people waiting to have that truck arrive, containing the cost of the transportation system, the investment of the truck and the driver, the time is much more important than the

money.

**MR. BARR:**

He •• this particular gentleman is a member of the •• he operates the supermarket on Shelter Island. He's a member of the Ferry Advisory Committee. And Legislator Romaine can confirm, he was unanimous in his support for this.

**LEG. ROMAINE:**

He was. And I just would put on the record that we had a public hearing, although we had a public hearing last Tuesday at our General Meeting, I had a public hearing Monday night, the night before, out at Shelter Island. And under the rules of that Township, I'm considered the Chairman of their Ferry Committee. And the Ferry Committee met and we had a public hearing, it was well attended. It was televised, as most meetings are on Shelter Island, and there were •• and it was extensively reported in the Shelter Island Report. Anyone that reads that paper knows that if you sneezed, they'll write a one•page article about, but very comprehensive. And I have got some correspondence in my office from various people on Shelter Island. But the IGA, manager of the IGA, was supportive, because •• of the time, because what people don't realize is with the smaller boats, you can't load the trucks as fully, and if they're •• with smaller boats, you can easily get a backlog without larger boats being in service. And, as a result, there is a time element that you have to wait. There's nothing like getting there and watching the ferry and you being able to drive on and being the last car on, you say, "Wow." But in the summertime, and without additional boats, there can be a backlog, and that, particularly for people in business, is a cost factor.

**MR. BARR:**

Another thing you want to add about small boats is our newest small boat is, I say that with little inverted commas, is 31 years old, and our oldest boat is 45 years old. Those boats are no longer •• they have a role to play, but they no longer can be the workhorse for us, not just in capacity, but in terms of wear and tear. We're out in a very corrosive environment. We have to hull the boats twice a year. We're constantly having to make repairs to them. They are, in fact, expensive to operate, as well as inadequate.

**CHAIRMAN SCHNEIDERMAN:**

Can I ask you, the last time you were here for a rate increase, wasn't that long ago, and one of the questions I brought up was relating to an individual, let's say working on living on the North Fork who worked on Shelter Island and being able to qualify for the same discount, as long as they can show that they're employers or Shelter Island employees. Did you put that in place?

**MR. BARR:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**MR. BARR:**

They simply have to have a letter from their employer and show us their

driver's license and they qualify.

**CHAIRMAN SCHNEIDERMAN:**

All right. Legislator ••

**MR. HUNT:**

I might add to that.

**CHAIRMAN SCHNEIDERMAN:**

All right. Bridge.

**MR. HUNT:**

You mentioned a concern for people carpooling. And we're quite sensitive to the working people on the Island and people holding a commuter ticket, regardless of whether it's resident or nonresident; under this proposal would be eligible for a three dollar round trip to encourage the people to carpool into those cars.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Legislator Horsley.

**LEG. HORSLEY:**

Yeah my question's very simple. I was one of your casual to cash; is that what you called it?

**MR. BARR:**

Yes, casual cash.

**LEG. HORSLEY:**

Casual to cash customers last week, as well as my family. Where do you post this •• your charges? I missed it. I got around the loop and ••

**MR. HUNT:**

Once you get around the loop, you're so happy to get on the boat that you don't see the sign.

**LEG. HORSLEY:**

You just don't see it? It is there? I was just ••

**MR. HUNT:**

But the sign, as you drive on the boat, it's to the •• looking at the passenger terminal in Greenpoint, it's slightly to the left of the passenger terminal to the



right as you would drive on the boat, and there's a large sign that explains our tariff.

**LEG. HORSLEY:**

It is all posted?

**MR. HUNT:**

Yes.

**LEG. HORSLEY:**

I was just curious about that, because we were in more than one car and everyone's going, "I don't know how they got that figure," because everyone paid a different amount, so I was just ••

**MR. HUNT:**

And, actually, the •• if you look at the receipt that you received when you went across, our fare structure is embedded in the geometry of that receipt as well. But for the riding public, there is a large sign, I would say, there, oh, six foot square.

**LEG. HORSLEY:**

You answered my question. I was just curious.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I'm just curious, with the increase that we're experiencing with gasoline prices and diesel prices, particularly with truck traffic, are you seeing any increased volume as far as truck traffic actually coming across the North Fork to South Fork, as opposed to doing the land route around, through Riverhead?

**MR. BARR:**

In the case of trucks, virtually none that we can see, because they would be paying double fair and truck fair. And now imagine that the truck that we talked about that was a \$75 truck, if he had to get on to the South Fork, he'd be doubling up. At that point, they're quite sensitive to time versus money, and so we don't see any trucks transiting through. Passengers are a different situation, but much overstated as to the amount. We actually, because of computer capability we have, we've done data mining and concluded that of our overall car traffic, only 5.3% is what I call bridging traffic, getting on in the North Fork and getting off through the South Ferry, or vice versa in that case, but trucks, virtually none.

**CHAIRMAN SCHNEIDERMAN:**

Any other questions?

**LEG. KENNEDY:**

No. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

All right. Thank you. All right. So that •• any other questions for Mr. Duffy? All right. So we'll conclude the presentation then. Now I'm not sure you guys even want to stay through the agenda. We will eventually get to yours, but we'll have to table it, because we've recessed the public hearing. So we have to finish the public hearing before we can vote. So I could tell you through my crystal ball that your resolution will be tabled today. If you want to stay, you can, but there's no need to.

**MR. BARR:**

Mr. Schneiderman, one last thing I wanted to say. I said it very quickly up there, but I was hurried. We have signed agreements contingent upon the rate increase with the shipyard, a commitment to finance from the bank, and also an indication of their desire to renew the loan when it expires at the end of 2007 on the first boat.

**CHAIRMAN SCHNEIDERMAN:**

And you're going to submit those to the Clerk?

**MR. BARR:**

That's correct. We'll E-mail it in to ••

**CHAIRMAN SCHNEIDERMAN:**

Has Mr. Duffy had an opportunity to review those documents and ••

**MR. DUFFY:**

Not yet, no, I haven't seen them.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So I would just ask, before we vote on this, that we have basically a sign-off from BRO that •• because that was your concern, that there wasn't a commitment, or there needs to be a commitment that ••

**MR. DUFFY:**

Well, that's correct, that's what we said.

**CHAIRMAN SCHNEIDERMAN:**

That the two are connected.

**MR. DUFFY:**

So we will review those and ••

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**MR. DUFFY:**

•• we will inform the Legislature.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**LEG. ROMAINE:**

And we •• if I may.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Romaine.

**LEG. ROMAINE:**

We are having a •• this is being tabled, because there is a public hearing that will be held a week from today at our meeting, which begins at 4 o'clock. I think the public hearings are scheduled for what time next week, if I may, so that the North Ferry can show up? Do you have that time, Counsel?

**MS. ORTIZ:**

4:30.

**LEG. ROMAINE:**

Is that 5 o'clock for •• 5:30, 5 o'clock?

**MR. NOLAN:**

I'll check.

**LEG. ROMAINE:**

Okay. If you would check that and let the North Ferry folks appear. And then, at that time, Kevin, if you could review that information, because once the hearing is closed I'll make a motion to close the hearing, because we had one last week, we're going to have one next week, I'll make a motion to close. At that point, we can vote on the resolution, providing that you give us your review of the paperwork that was just submitted.

**MR. DUFFY:**

Right. You would first have to seek a discharge petition?

**LEG. ROMAINE:**

Yes.

**MR. DUFFY:**

Okay. Yes.

**LEG. ROMAINE:**

Motion to discharge ••

**MR. DUFFY:**

Yes.

**LEG. ROMAINE:**

•• more likely than not. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**MS. BEN • SUSAN:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

No further questions.

**MR. BARR:**

Thank you.

**MR. HUNT:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. Okay. Our next presentation is from the Chairman of the Suffolk County Transit Advisory Board. Mr. Hymowitz, I'm going to ask you to limit your presentation to five minutes.

**MR. HYMOWITZ:**

I just have a request for a reasonable accommodation. I'm very sensitive to your timing, but due do my disability, by you pressuring me, it actually makes it harder for me to make the presentation. So, therefore, I am respectful that you're busy, I'd just appreciate if you don't constantly remind me of it; okay? And that, also, the fact the amount of time that I put in here



and that goes unfunded due to the seeing of our County Executive respect for that time, I'd appreciate also, so okay.

**CHAIRMAN SCHNEIDERMAN:**

I would •• I would just ask ••

**MR. HYMOWITZ:**

I am.

**CHAIRMAN SCHNEIDERMAN:**

•• to be as brief as you can.

**MR. HYMOWITZ:**

I will.

**CHAIRMAN SCHNEIDERMAN:**

Okay?

**MR. HYMOWITZ:**

First, this is does not count toward my five minutes, I just want to thank

Charlie Bartha and Leslie Mitchel for the years and time that they've given me to educate me. And although our relationship sometimes has been adversarial, I hope that they have benefitted from it as much as I have. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you.

**MR. HYMOWITZ:**

Okay. The first item on the agenda is a conference that I attended on my own time, which was in Washington D.C. I was fortunate enough to be part of one of twenty teams selected from groups that applied from all over the country. Our group, made up of three other members, was selected by our Metropolitan Planning Organization to be part of the team. The instituted program was designed so that the teams had a specific amount of intra and inter•team interaction, as well as accessed expert fact and technical support. Within the supported structure, the goal was to have each team leave the institute having developed the following items: A refined vision statement, a clear focused area for the team's actions over the next 12 months, a 12•month action plan for addressing the focus areas, and a 12•month technical assistance plan describing the type of technical assistance that we would need to accomplish a short•term action plan. This is regarding the federal mandate for a Human Service Transportation Coordination Plan. And so •• which at some point is going to involve the County. But right now, to get things moving in New York State, I chose to get out Metropolitan Planning Organization involved. In your packet is a whole summary of the activities, and I'd appreciate if you could review it at your leisure.

The next thing is the North County Complex signage. I, for one, am very grateful that the sign is up there, particularly as a rider of SCAT, when the drivers have a hard time finding locations. And, therefore, it delays people's pickup and drop-off times. However, the total sign is four feet high and six feet wide. I measured the lettering and they range from a quarter inch, a half inch, and three-quarter inches in height, and a quarter inch wide. The geometric shapes used to represent the buildings measured around three inches in height and six inches in width. As per New York State Manual of Uniform Traffic Control Devices, Section 201.2E2, sign letters and numerals shall be designed to establish by FHA and standard alphabetic and highway sight and marking •• pavement and markings. And included in your packet is a summary of that statute. Depending on the amount of info, multiple signs may be needed to attain the correct standards and/or make the sign legible from a moving vehicle. The other option is to have the sign placed in a parking lot or at a turnout that could be designed with small lettering, such as a mall sign guide. Okay? The basis of this is that the standard is that it should be able to be read by a car going 30 miles an hour.

The next thing is an update of a meeting I attended last night, which was an agriculture round-table. It was hosted by Assemblyman Alessi and the Chairman of the Agricultural Committee from the Legislature in Albany was in attendance also. At that time, I had an opportunity to address the members and talk to them about the development of a circular transportation that we could have on the North Fork, where people could park in Calverton and ride and get on and off as they choose to go to the vineyards, the farm stands, and such. I'm hoping that with the support of the vineyards and the Farm Bureau, that

Mr. Alessi would be able to secure agri-tourism money, and also {CMAC} funding. I believe that this kind of project could possibly reduce a hundred cars an hour off of Route 25A. So I will keep you, you know, abreast of that, what comes out of that.

The last thing I want to do is I want to update you from the report that comments submitted from the public hearing May 5th. I want to thank Eric Brown and Terry Pearsall from the Presiding Officer's Office. They've been working very closely with me. What I've done is I've taken all the comments and I've put them into a data base and generated some recommendations. At this meeting on the 23rd of the Transportation Advisory Board, the board will vote on prioritizing these recommendations. And, hopefully, at the next committee, I'll have a little more than five minutes and I'll present to you the report and the recommendations of the Transportation Advisory Board. I thank you very much.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. It's actually under five minutes. We do have some questions. Let's start with Legislator Romaine.

**LEG. ROMAINE:**

Yes. That was an excellent suggestion about the agri•tourism transportation, where they could park in Calverton then do a loop around the North Fork in terms of the vineyards. But let me suggest to you a little bit of a synergy there. If you combine that with transportation that would do a loop•de•loop around the North Fork in terms of the casinos, traffic that uses the ferries that go to Foxwood and Mohegan Sun, you'd really be having an impact on transportation in terms of saving a hundred cars a day. You may save ••

**MR. HYMOWITZ:**

No, an hour.

**LEG. ROMAINE:**

What?

**MR. HYMOWITZ:**

An hour.

**LEG. ROMAINE:**

An hour, hundred cars an hour. You certainly could add to that total, but by including a casino run as a •• well, a ferry run to the Orient Point Ferry, there's the Cross Sound Ferry, because that certainly would provide the synergy that you would need to make any type of transportation endeavor worthwhile, profitable, and remove cars from the road and encourage public transportation. Thank you.

**MR. HYMOWITZ:**

I thank you very much. And I shouldn't have assumed it, but yourself and Legislator Schneiderman will certainly be involved in whatever conversations go on in meetings, and you will be, you know, involved in the process.

**CHAIRMAN SCHNEIDERMAN:**

On the hearings we held, and there were many, many comments, a lot of people spoke about bus shelters in certain areas that were needed. And I know Eric Brown from my office has been working with Terry and

Mr. Lindsay's office. When are we going to go over those?

**MR. HYMOWITZ:**

I anticipate a report for you at the next committee meeting. The only thing that will be missing from that possibly is the bus stop and bus shelter recommendations. That depends on the work time that DPW has to review them and make a decision whether they're feasible or not.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Thank you. Thank you, Cliff. If I could just ask Mr. Shinnick a question in terms of the study that's being done, what the status of the needs assessment, if you will, for the Suffolk County Transit, the Blue Bus, what stage we're in with that?

**MR. SHINNICK:**

Good afternoon. We're right at the very beginning. We've received the approval from the County Attorney on the contract document itself, so we're right about to sign a contract with the consultants on the study. They'll be starting their work in September now.

**CHAIRMAN SCHNEIDERMAN:**

Okay. And they'll be a public input process?

**MR. SHINNICK:**

Absolutely, yes.

**CHAIRMAN SCHNEIDERMAN:**

Okay. All right. Any other questions for Mr. Shinnick? Legislator Kennedy.

**LEG. KENNEDY:**

Yes. Thank you, Mr. Chairman. Bob, I know we've talked about this before at various meetings, but I guess it's something that I continue to have questions with and to try to understand. Dispatch function •• oh, I'm sorry, not the dispatch function, the telephone query, where folks call up and they try to get information about particular bus routes, stops, times, things such as that. We fulfill or perform that function with County employees who sit and answer the telephone and go through manual schedules; is that correct?

**MR. SHINNICK:**

That's correct, yes.

**LEG. KENNEDY:**

Okay. And we've contemplated trying to put that onto a screen at this point, but we've not moved forward to that yet? Where are we at with that?

**MR. SHINNICK:**

That's an anticipated function that we'll bring to the office. We have ••

**LEG. KENNEDY:**

You got to be a lawyer.

**MR. SHINNICK:**

I'm sorry?

**LEG. KENNEDY:**

You got to be a lawyer. That's the kind of line I'd use someplace.

**MR. SHINNICK:**

No. It's something we want to do. Internally in our office, we would like to expand the capabilities we currently have with a software program that links into the SCAT Program, which I don't want to use an acronym, but ••

**LEG. KENNEDY:**

And I was just going to say that to you again. I hear SCAT, but I ••



**MR. SHINNICK:**

SCAT is the service that we provide to the disabled community ••

**LEG. KENNEDY:**

Yes.

**MR. SHINNICK:**

•• on a reservation basis.

**LEG. KENNEDY:**

Yes.

**MR. SHINNICK:**

It's a very powerful program that helps us, actually the bus contractor dispatch the vehicles to get people, and it keeps a log of the reservations, where the people are, where they need to go. Part of the functionality of that software can be expanded to track the bus system as well and give us the opportunity to internally have our telephone operators ask basic questions like people would over the telephone, but ask it to the computer and get the right information quicker.

**LEG. KENNEDY:**

Now we can do that right now, in other words ••

**MR. SHINNICK:**

Not yet, not yet.

**LEG. KENNEDY:**

•• if I call up and I say I live on Lake Avenue and I'm handicapped, I'm wheelchair bound, I need a ride, how does that happen at this point?

**MR. SHINNICK:**

That we have right now and that happens through the private bus carrier.

**LEG. KENNEDY:**

No, no. But, I mean, in other words, if somebody calls on a telephone, does that occur by way of contact and then somebody else does the routing, or do our people somehow interact with, you know, scheduling, routing, this, that, and the other thing?

**MR. SHINNICK:**

The users call a special number to make their reservation. That reservationist is at a bus company, takes that information over the phone, and as they're keyboarding it into the computer, actually makes the

reservation. And the software goes ahead and actually sets up the itinerary for the buses for the day.

**LEG. KENNEDY:**

All right. I have on occasion to do this to my colleagues, but I will not do this today, but I'm going to ask you then, I guess, to have •• somehow, I have to have a conversation with you, because I really genuinely need to understand better why we don't have a P.C. on a desk that a County employee can bounce against in order to go ahead and get that transportation information, or why we don't even have that somehow automated kind of function. It's escaping me at this point, and I need to know better than, "We want to do that." I need to know how and when we're going to do it.

**CHAIRMAN SCHNEIDERMAN:**

Okay. I have a question for Mr. Shinnick, too. As we approach our budgetary process, and we know from the public hearings the need for certain shelters in certain areas. We know •• I know in my district, which is a tourism •• tourism is the largest component of the economy, that Sunday bus is very much needed, because, you know, Saturdays and Sundays are the two busiest days, and I see so many people just out on the roads hitching to work on Sundays because there's no Blue Bus. And I know we're doing that study and that's been used in the past as the reason why we're not funding the Sunday bus yet, but we know in certain areas like, Legislator Romaine, on the North Fork, where you were having a lot of people going to work also on Sundays. I'd like to see this as part of the budgetary process, and I'm wondering if you have developed some numbers for a Sunday bus, for some of these shelters, whether those recommendations have been given to the County Executive as he prepares the budget, so that we could start to implement these, or at least have the option to implement them for next year.

**MR. SHINNICK:**

The shelters themselves is part of an ongoing program. We deal with the towns, we deal with the Legislators in terms of specific sites. As Clifford pointed out, lists come to us of viable locations. So, you know, that's something that's ongoing and we have money in the Capital Program to support the installation, purchase and installation of shelters every year.

The question of enhanced bus services, County•wide Sunday services will be deliverable. That's part of what this consultant will be developing for us in terms of dollar amounts, what to do first, where to apply the Sunday service.

**CHAIRMAN SCHNEIDERMAN:**

Well, won't •• if we have to wait until the end of that study, that number's going to come out after we finish our budget, which will make it very difficult to implement the Sunday bus for next year; is that correct? We'd have to then do it the year after.

**MR. SHINNICK:**

I don't anticipate specific recommendations at least for several months into the study. And overall, it's a 15•month study, so, you know, it's going to take time to really develop these things.

**CHAIRMAN SCHNEIDERMAN:**

But it's possible we could estimate in terms of we know what it costs to run

the bus the other six days a week, if we added another, that would be the worst case scenario, because the reality is Sunday bus might not be appropriated throughout the County, or might not be throughout every route, but it might be on certain main routes. So we could develop a cost estimate, at least a worst case scenario, and try to build that into the budget, so we at least had the option for next year of trying to implement it.

**MR. SHINNICK:**

That's correct, but that's also the work that we've charged to the consultant.

**CHAIRMAN SCHNEIDERMAN:**

Okay. I know Mr. Zwirn from the County Executive's Office wanted an opportunity to speak. Ben?

**MR. ZWIRN:**

With respect to the buses, I know earlier today, when we were in Public Safety, we were talking about IT is working on a map quest type, and I use that in quotes, because it's not Map Quest, but where you'd be able to put your address in and where you're going and it will give you the routes. And Sharon Cates•Williams is working on that, and apparently they're getting close to getting that done, which should be a huge improvement in transportation there.

I know some of the concerns that the County Exec has the •• not so much on the study and for the •• in Yaphank, but more in line with the S•92, is cost. I mean, it's just an expensive, very expensive proposition. We have added

tandem buses. I came a little bit late, so I don't know if Bob mentioned it, but I know on the evening routes on S•92, because there was some concern about people being left behind on their way home from work and people camping out near the bus shelters. That doesn't seem to be the case anymore. There's an extra bus that runs along, tandem bus, like a trailer bus that picks up anybody else that has missed the bus. In the morning's, Bob has indicated that people could take an earlier bus if they had to, and they haven't had as many problems, at least I'm not aware of them, especially on the S•92 route. But the main concern comes with cost. Do you need extra drivers? Do you need more drivers because they're only allowed a certain number of hours to drive a week under their contract? You need maintenance people on board. I mean, there is just not one bus and one driver going through this, it's a whole •• you know, a whole thing that has to be done. And we're concerned about the cost and where the •• if the money is going to come from that, where is the money going to come from? What are we going to reduce somewhere else? As you know, the buses don't pay for themselves. They're not a •• usually, they're not a revenue•generator for the County, a net generator anyway.

### **CHAIRMAN SCHNEIDERMAN:**

Well, if that were the case, we wouldn't have any public transportation. It's obviously there for a reason. And, look, I applaud the County Executive in adding the additional buses in dealing with that problem, because there were •• you know, I witnessed it myself. There were a lot of people being turned away. And, you know, it has been a rapid change on the East End in terms of the numbers of people who are commuting into that area for work. And I think we have caught up in many respects to the volume. But Sunday is still absent, and there's as many people on Sunday as on Saturday who need that bus, and it's sorely needed, and I'm just trying to figure out how we can get it. Yes, it's going to cost additional money, less subsidized than many of the other routes, because you do have the 1.50 per person charged and you're going to have a pretty full bus. But if costs are the dominating factor, we'd

have no public transportation. And I think there's a need for the economy, there's a need to, you know, reduce traffic, there's a need in many, many respects for that Sunday bus, and I think it's something we can work together and put in place. It's overdue.

**MR. ZWIRN:**

You know, I think that more in lines in getting •• more in line with getting a study done and to find out what the costs are associated with it as opposed to doing a pilot project, because once •• you know, once a pilot project starts and it's successful, it's very hard to say, well, the pilot •• County Road 39 is a perfect example. It was so successful that when it stopped for couple of days, it was •• people went crazy. And now the County Exec was out there today, and I think you were out there as well, to come up with a plan to try to make this a more permanent situation. So I think there'll be this study and, you know, we knew what we were up against and what it was going to cost, it would be a lot easier to deal with.

**LEG. KENNEDY:**

Mr. Chair.

**CHAIRMAN SCHNEIDERMAN:**

Just one comment on that. Again, it was needed years ago in term of this Sunday bus, and we know the study's going to show that it's needed, and I just •• if we could get the money budgeted, so we at least would have the option to do that, hopefully, the Legislature will support that. Hopefully, the County Executive will support it. And, yes, the idea of a •• there is an idea kicking around, I've been kicking around an idea with several people of doing a pilot program for a Sunday bus, running ten Sundays and seeing the

volumes, and, yes, it may be so successful that it's hard to stop, but that's the point, is that it's needed. And just because it's hard to stop doesn't mean it shouldn't happen.

**MR. ZWIRN:**

No. And I don't think anybody disagrees with that, but everything costs money. And we've seen, you know, bills here to cut revenues everywhere and increase expenses everywhere, cut •• you know, cut sales tax revenues on home •• I mean, the County has to have money to operate. You either have to have it from tax revenue or from fees or sales tax. If you keep cutting revenues at every opportunity, I mean, just in general, I mean, you're going to have to •• you want to fund these programs, which are all great, but you're going to have to come up with the money to do it. The County Executive, you know, he doesn't hire enough people, the criticisms are, he's not paying for enough programs, well, you know, he's trying to keep •• give the taxpayers a break and also provide services, so you're going to have to meet him somewhere down the road and have enough revenues to support some of these worthwhile program.

**CHAIRMAN SCHNEIDERMAN:**

Hopefully, something like the Sunday bus will help stimulate the economy, more spending, more sales tax revenues.

Mr. Shinnick, maybe you can answer in terms of, comparably, Sunday is very much like Saturday, at least on the East End of Long Island. The weekends are the busy times for tourism. The Saturday bus has •• is that a money •loser or is that something that maintains itself?



**MR. SHINNICK:**

Well, as you said before, they all lose money. On the East End the S•92, Saturday service carries roughly half of what it does on a weekday. And the rule of thumb in the industry is Sunday service will carry much less than a Saturday. In the past, it used to be half of a Saturday. I don't know how that would apply, because the East End has a very touristy type of activity that goes on on weekends as opposed to other areas, but we can expect less ridership.

**CHAIRMAN SCHNEIDERMAN:**

Could a Sunday bus not necessarily run all day, but run in the mornings and run in the afternoons?

**MR. SHINNICK:**

You could do that. Typically, what might happen on a Sunday is to have truncated hours, meaning that the buses wouldn't go out as early as during the weekday and stay out as late as the weekday as well. What people typically want, in addition to being able to get to and from work, is the opportunity to be able to travel around during the middle of the day and have the ability to come home later or go out later in the day in the morning's. So it's a combination of things. You give people transportation, but you give them also choice when they can travel.

**CHAIRMAN SCHNEIDERMAN:**

And you said the turnaround time for this study, you're about to sign the contracts, is it six months? What's the ••

**MR. SHINNICK:**

The overall project is figured at 15 months ••

**CHAIRMAN SCHNEIDERMAN:**

Fifteen months.

**MR. SHINNICK:**

•• from start to finish, but they're going to be doing a lot of work and, as you've mentioned before, a lot of public outreach. There's a lot of people with things to say and it's a big system. One of the things that we're going to have them doing is look at how these bus lines are configured and, hopefully, identify mistakes and give us some solutions to providing a more efficient way of delivering the service as well.

**MR. SHINNICK:**

Legislator Romaine.

**LEG. ROMAINE:**

Very quickly. Obviously, Ben Zwirn is very capable and understood that this pilot program would be successful and, therefore, might become permanent. And that's why we're suggesting it, because there's a need there that needs to be met. Maybe, not only would Sunday service be a lot different than Saturday or weekday service, but it may be different on a seasonal basis. So

that's something to think about.

I understand the issue with revenue. The government has to have revenue. How you collect it is one thing. Obviously, and I want to say this, because the County Executive keeps on misinterpreting this, I don't want every vacancy filled in Suffolk County. I want the vacancies he thinks needs to be filled filled and those he doesn't abolished. I don't believe we should balance an Operating Budget by leaving fourteen hundred jobs in a County government vacant. That's the wrong way to balance an Operating Budget. If you need that type of revenue, and you probably do, an operating reserve, and I have suggested this many times publicly, is far preferable than creating jobs in a budget that you have no intention of filling and saying that you have these jobs in the budget and leaving fourteen hundred vacant.

But moving beyond that, let me move to Mr. Shinnick, if I may. I'm happy to hear that there's work being done on what Legislator Kennedy said. I would think in 2006, at an operator, if I called 852•5200 and say, "You know, I'm in Center Moriches, I want to get to Hauppauge, could you tell me the times and the bus routes and the bus stops that I'd have to be at," that someone could go online on a computer screen right in front of them and give them that information. What would even be better, since about 50% of this County has some type of web access, is to have that online, so that they could look this up themselves. But, you know, I'd like to know, and maybe at the next meeting, because I don't want to hold up this meeting any longer, if I could have a progress report on that, maybe you could send it to me. Our next meeting isn't until September. If you could send that to me on what the schedule is. I'm a little but, as Legislator Kennedy knows, somewhat familiar with web•based applications, and I'm just amazed in this day and age that Suffolk County Transit doesn't have like a web•based schedule, web•based routes, web•based times that buses would arrive more or less.

One last question. I understand that right now there's service to New York City from the North Fork. I believe it was provided by Sunrise Bus. I believe it is now being provided by Hampton Jitney, if I'm not mistaken.

**MR. SHINNICK:**

That's correct.

**LEG. ROMAINE:**

Okay. Does this service receive STOA, S•T•O•A, aid from New York State, and if so, why?

**MR. SHINNICK:**

There was a contract with Sunrise Coach Lines to provide State Operating Transit Assistance for the maintenance of that service from the North Fork into the City. That was originally started, I believe, in the 1970's at the request of the State. At the time, they were encouraging the development of over•the•road bus network throughout the entire New York State. Companies like Greyhound, Adirondak Trailways were beginning to withdraw their services and they were looking to support these kinds of transportation services. So there was a contract and that contract continued with Sunrise Coach Lines until February of this year, when they withdrew from the service and had it transferred to Hampton Jitney.

**LEG. ROMAINE:**

Do you know how much STOA aid that particular line receives on an annual

basis?

**MR. SHINNICK:**

Annually, the recent contracts were \$280,000.

**LEG. ROMAINE:**

Two hundred eighty thousand dollars ••

**MR. SHINNICK:**

Yes.

**LEG. ROMAINE:**

•• in State aid for that. Okay. Thank you very much.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. This is, I guess, a follow•up with Mr. Zwirn and Mr. Shinnick. If Sharon Cates•Williams is working on putting together this web

•based application, Map Quest, or whatever the piece of software is, that's great, I'm glad to hear that's going forward. And so, hopefully, very shortly, then we're going to have what it is that I've been asking about, but that I'm also going to ask you to bring the request back to her, that she at least explore the ability to go ahead and have an oral query with that as well. Many, many people in this County do not have access to a computer, and there is software that's available that will take a voice query and translate it to the proper software inquiry and infers the information back. In essence, the ideal situation will be is if we could have the whole function computerized from end to end in order to go ahead and accommodate, you know, a regular computer•based query or a verbal query as well.

**MR. ZWIRN:**

Oh, I think, at least in the beginning, once it's done on the computer, at least an operator will be able to plug in that information and get it written out, printed out for them, or at least on a screen to be able to transfer that back to somebody on the phone.

**LEG. KENNEDY:**

Well, okay. Then, I'm sorry, then I misunderstand. What I thought that you had said that Sharon was working on was an application that any individual could bounce against, you know, 24/7.

**MR. ZWIRN:**

Right.

**LEG. KENNEDY:**

If it's ••

**MR. ZWIRN:**

It will be on the •• it will be on the web. And I'm just saying that on a computer, somebody sitting at a computer screen, if somebody doesn't have a computer, can give the information and they can plug it in as if •• and then translate it right back out, but then you'd need a live operator, and I think, at least in the beginning, there will be live operators to handle that, which is also helpful to public. They like to speak to a real person if they can.

**LEG. KENNEDY:**

We all like that, as a matter of fact. But, as you pointed out, as our County Executive says to us, you can't have it all, and that would mean we'd have to fill a position.

**MR. ZWIRN:**

Except in your district. In your district, they ••

**LEG. KENNEDY:**

No, I've got none, as a matter fact. West Nile and water, that's it. I did get a sound wall, though.

**CHAIRMAN SCHNEIDERMAN:**

And a sound wall.

**LEG. KENNEDY:**

I did get a sound wall.

**MR. ZWIRN:**

How soon they forget.

**CHAIRMAN SCHNEIDERMAN:**

I thought you can't call it a sound wall, right?

**LEG. KENNEDY:**

I did get a sound wall. So, if you would, if you would just if you can relate that request with her.

**MR. ZWIRN:**

Absolutely.



**LEG. KENNEDY:**

Thank you.

**MR. ZWIRN:**

And I would just say that the Commissioner was here earlier at Public Safety and gave a presentation on what was going on. So, if I had known that this was going to come up again, she could have •• she would have stayed for the next committee meeting. Maybe she wouldn't have stayed, but we could have tried to persuade her.

**CHAIRMAN SCHNEIDERMAN:**

All right. No further questions? Excellent. Okay. Thank you,

Mr. Shinnick. We're about to move the agenda. I want to, at this point, point out that this is the last committee meeting for our Commissioner of Public Works, Charles Bartha. I want to thank you on behalf of the Committee for your many, many years of distinguished service to the County. It's also your Deputy, Leslie Mitchel's last meeting as well. And both of you have been a dynamic team, and we're going to miss you and the County will miss you. We'll move the agenda. I wish I had like a golden road cone or something to hand you.

**COMMISSIONER BARTHA:**

I wish you did, too.

**CHAIRMAN SCHNEIDERMAN:**

Particularly after what you did with County Road 39, which has been absolutely a phenomenal success on the East End. And accolades from many, many people I know have come to you, and, you know, some through my office, some through the County Executive's Office, but it really has made a fundamental difference, and none of that could have happened without your hard work and that hard work of your department, particularly Bill Hillman and Lorraine Hickey, and many others.

So I'd like to move the agenda, if nobody •• does anybody else have anything else to say to Charlie? Okay.

**LEG. HORSLEY:**

Just ditto.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**LEG. BROWNING:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. And, obviously, best wishes in all your, you know, future endeavors.

**COMMISSIONER BARTHA:**

Thank you very much. If I could just take two minutes. It's been a pleasure working with everyone here, as well as in the full Legislature, almost all the time it's been a pleasure. And the particular project that you just mentioned, it •• County Road 39, that has been a bit of a drain for our resources. However, it is a project I am particularly proud of, because most of the things we do aren't that widely recognized, and that has had such a big impact on the East End. And it has given birth to an interim project that we believe will, you know, go a very long way to solving the traffic congestion. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Any thoughts on •• I know you won't be with the department next year, but • and the interim project, if it goes according to schedule, I guess will be up and running Memorial Day of 2008. Next year, any •• can your department handle this again in terms of the added lane in the summertime, or is something that you have to build into the budget process or ••

**COMMISSIONER BARTHA:**

We should really look for an alternate way of handling it. It's had a large impact on our ability to do lane markings. We do paint striping throughout the County with a single crew, a single paint machine. That happens to be a crew that's very familiar with laying down cones safely and picking up cones safely, and that's a crew we've used in this operation. If we are to continue this next year, we would to •• you know, we would be training additional people to do that, and certainly additional staff would be helpful.

**CHAIRMAN SCHNEIDERMAN:**

So in the budget process, you would need additional staff members.

**COMMISSIONER BARTHA:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Let's move the agenda, beginning with Tabled Resolutions.

**TABLED PRIME**

***1492 • Adopting a Local Law requiring prior approval from the Suffolk Sewer Agency for the establishment, improvement, or expansion of County Sewer Districts.***

**LEG. HORSLEY:**

That's 1492?

**CHAIRMAN SCHNEIDERMAN:**

Yes.

**LEG. HORSLEY:**

I'll make a motion to table subject to call.

**LEG. KENNEDY:**

Second.

**LEG. ROMAINE:**

Second.

**LEG. D'AMARO:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

All right. There's a motion to table subject to call by Legislator Horsley, second by Legislator Romaine. All in favor? Opposed? Abstentions? 1492 is ***tabled subject to call (Vote: 6•0•0•1; Leg. Montano not present).***

***1545 • Establishing an environmentally sound E•Waste Policy for Suffolk County.*** I think we're requesting a financial impact. I think that was the concern at the last meeting. Do we ••

**LEG. BROWNING:**

I'd make a motion to approve.

**CHAIRMAN SCHNEIDERMAN:**

Okay. There's a motion to approve by Legislator Browning.

**LEG. D'AMARO:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator D'Amaro. On the motion? Do we have a financial impact at this point?

**MR. ORTIZ:**

It has been filed with the Clerk.

**CHAIRMAN SCHNEIDERMAN:**

It has been. I have not seen it.

**MS. ORTIZ:**

I'll check on it.

**CHAIRMAN SCHNEIDERMAN:**

You have it?

**MS. ORTIZ:**

I'll check on it.

**CHAIRMAN SCHNEIDERMAN:**

You're going to check, okay.

**LEG. ROMAINE:**

Could we pass over this until such time as it ••

**CHAIRMAN SCHNEIDERMAN:**

Unless the representative from BRO knows that information, what the financial impact •• we'll come back to it, if you don't mind. Okay. 1645 • A Local Law to reduce the emission of pollutant from diesel•fueled motor vehicles operated by or on behalf of Suffolk County Public Works and Transportation.

**MR. NOLAN:**

It has to be tabled, Jay.

**CHAIRMAN SCHNEIDERMAN:**

It has to be tabled for a public hearing?

**LEG. ROMAINE:**

Motion to table.

**LEG. HORSLEY:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

All right. There's a motion by Legislator Romaine, second by Legislator Horsley. All in favor? Opposed? Abstentions? 1645 is ***tabled (Vote: 7•0•0•0)***.

***1736 • Approving extension of license for Sayville Ferry.*** So this has been closed.

**MR. NOLAN:**



It's an extension.

**CHAIRMAN SCHNEIDERMAN:**

This is an extension of the license?

**LEG. D'AMARO:**

Mr. Chairman, I'll make a motion to approve.

**LEG. MONTANO:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Motion by Legislator D'Amaro, second by Legislator Montano. All in favor?  
Opposed? Abstentions? 1736 is **approved (Vote: 7•0•0•0)**.

***1753 • Authorizing the alteration, it should say, of rates for North  
Ferry Company.***

**LEG. ROMAINE:**

Motion to table pending a public hearing next Tuesday.

**LEG. D'AMARO:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion by Legislator Romaine to table, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? 1753 is ***tabled (Vote: 7•0•0•0)***.

***1808 • To take emergency measures to mitigate traffic congestion on County Road 39 in the Town of Southampton.*** I guess we're going to start focusing on next year, so we'll just table it for now. I'll have to withdraw that. I'll make a motion to table 1808, second by Legislator Montano. All in favor? Opposed? Abstentions? 1808 is ***tabled (Vote: 7•0•0•0)***.

***1854 • A Local Law to increase connection fees for sewer district contractees located outside the geographic boundary of a sewer district.***

**LEG. BROWNING:**

Table.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table by ••

**LEG. HORSLEY:**

Kate.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Browning.

**LEG. HORSLEY:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Horsley. On the motion. Can I ask you,

Mr. Commissioner? There's been quite a bit of testimony in regard to this bill. I know when I had proposed altering the fees for the scavenger waste facility at Bergen Point, it was recommended that since I had just •• you know, I had put out a fee that I thought was more in line with what the market was, and being that, you know, the other two scavenger waste facilities charge actually quite a bit more than the County, and what I was told was, "Look, we don't just pick a number, we do an analysis, we can't charge" •• "The County can't charge more than it costs us to operate the facility, or, you know, for, you know, the construction of the facility, maintenance of the facility," those kinds of things. I don't know where Legislator Alden came up with the \$30 fee, but can you comment on the current fee schedule and what would be the best way? Do they need to be re

•evaluated, and how should that occur?

**COMMISSIONER BARTHA:**

Well, first, I believe this is certainly a policy issue as opposed to the scavenger waste rates. That's something that's a real cost to us. Here this is an avoided cost for the developer. He's avoiding the cost of building a sewage treatment plant. He's getting the benefit of using the property that a sewage treatment plant would have been built on, whatever the value that has. And that cost varies. If it's for a hundred unit subdivision versus a thousand unit subdivision, the unit cost goes down with the size. So we could develop a chart which would give you the •• a table, which would show the range of costs for smaller •• what it costs, the avoided cost for building a small facility and graduated up to larger facilities. That would ••

**CHAIRMAN SCHNEIDERMAN:**

Would that approach be better than just simply what it costs to hook into our facility in terms of how many gallons it's using and what it would cost to construct our facility to accommodate that increased volume or potential future increases at the Bergen Point facility to accommodate that type of volume, what that would cost? What would be the fairest way to approach this issue?

**COMMISSIONER BARTHA:**

I believe the fairest way would be the avoided cost.

**CHAIRMAN SCHNEIDERMAN:**

The avoided cost?

**COMMISSIONER BARTHA:**

But let me •• I mean, that's one approach. The other approach is to look at.

**LEG. HORSLEY:**

Could you hold up one second? Could you just •• avoided cost is what, like an opportunity cost? Is that •• I'm not sure I understand what the ••

**CHAIRMAN SCHNEIDERMAN:**

What the builder, if they didn't go ••

**COMMISSIONER BARTHA:**

If they don't have the opportunity to connect to the sewer district, what it would cost them to build a sewage treatment plant to service the project.

**CHAIRMAN SCHNEIDERMAN:**

Does that include the land acquisition that they'd have to do as well? Because a lot of these places probably have to build smaller, because they'd have to leave room for that sewage treatment facility.

**COMMISSIONER BARTHA:**

That's correct, that's something that should be taken into account. An alternate way, and we did this in the Southwest Sewer District in a number of instances, is not that the fee was charged this way, but for comparison, we looked at, if the property had been in the Southwest Sewer District from the time that the district started collecting sewer charges, what that total amount would be versus connection fee for this property now. And we haven't done that in several years, the issue hadn't come up, but, in fact, each time we did that, the connection fee at the time was higher than they would have paid if they had been in the sewer district all that time. So it was to the district's advantage, the connection fee that we were charging.

**CHAIRMAN SCHNEIDERMAN:**

When we did the scavenger waste facility, it ended up I amended my bill so that you held a hearing and decided on the fees, whether the fees should go back •• I think, actually, you ended up with a higher number than I had recommended initially. What do you suggest here? Because I'm a little bit •• you know, I'm not ready to move on this Alden bill. I don't know what my colleagues are ready to do, but I'm a little uncomfortable with an arbitrary number. Do you have a recommendation as to how to proceed?

**LEG. HORSLEY:**

Or a recommended number.

**COMMISSIONER BARTHA:**

I would suggest that the department develop the table that I suggested in the first instance of the cost per gallon for building a sewage facility, factor in the property value in that. But then I don't know that I would suggest having a sliding scale for charging. You know, a flat •• a flat rate has certain

advantages. But why don't we develop the table first and then after that have the discussion?

**CHAIRMAN SCHNEIDERMAN:**

How long would it take? Just estimation, how long would it take to develop such a fee scale?

**COMMISSIONER BARTHA:**

Considering other work that's going on, I would say two months would be a fair time to do that.

**LEG. D'AMARO:**

Mr. Chairman, could I jump in there?

**CHAIRMAN SCHNEIDERMAN:**

Yeah, Legislator D'Amaro.

**LEG. D'AMARO:**

I just want to go back a little bit, Commissioner Bartha, and ask you what's the underlying policy reason for having a fee in the first place?

**COMMISSIONER BARTHA:**

Because the capacity of a sewer district is an asset that belongs to the people in that district, not to the people of the County as a whole. Each district is a separate taxing entity. So by allowing a private developer who's outside the district to connect to it, he's using an asset of the district.

**LEG. D'AMARO:**

So, when you have a property outside the district boundary connecting into the district over however many years perhaps that property had been developed, they were not paying towards the operating and functioning of the sewer district; correct?

**COMMISSIONER BARTHA:**

Correct.

**LEG. D'AMARO:**

All right. So is the fee that we're at right now or was the policy decision behind the fee to take a look at the history and recoup that lost revenue since they're now look hooking in, or was it to charge on a going•forward basis for the use of the sewer facility?

**COMMISSIONER BARTHA:**

Frankly, I believe the number has always been fairly arbitrary.



**LEG. D'AMARO:**

Arbitrary. So if it's arbitrary, then it gets into policy considerations as to what impact the fee has or an increase in the fee will have on, let's say, development, workforce housing projects. You know, then we get into other arbitrary considerations. What if you're 50 feet over the line as opposed to 5,000 feet over the line? I mean, I'm •• like the Chairman of this committee, I'm very concerned that we're just pulling a number out of a hat. Maybe that's the way it was originally designed also. But I think, at this point, this is too serious an issue not to have some valid justification for increasing the fee. I mean ••

**COMMISSIONER BARTHA:**

I don't want to suggest that it's been completely arbitrary in the past, but I know when it was raised from 12 to \$15, there was no discussion with the department as ••

**LEG. D'AMARO:**

I would think that if you're outside a district, outside a taxing district, and then, you know, for all the time you were outside the taxing district, of course you're not paying into that district, because you're not a part of it, you're not utilizing that facility. I would think that going forward, if you're going to hook in, that you probably should look at the cost or the operation of the district itself and see how that is adding to the cost by hooking in the outside properties. I mean, you have to have some rational relationship between the fee you charge and the use of the facility, I would think.

**COMMISSIONER BARTHA:**

As far as the operating cost, they will pay those operating costs going forward, plus 5%, once they're hooked in.

**LEG. D'AMARO:**

Once you're hooked into the district, you are now considered part of the district for taxing purposes; is that correct?

**COMMISSIONER BARTHA:**

Right, that's correct. So what you're buying is equity in the system that people who've been paying the capital cost of the construction of the facilities all along have a share in.

**LEG. D'AMARO:**

So, in other words, you're suggesting maybe it's more appropriate to look at the past history to buy into that equity in the district, because you'll be paying on a going•forward basis once you're hooked in.

**COMMISSIONER BARTHA:**

One of the problems that arises with that is many of the County sewer districts were established by the County taking over a treatment plant that a developer built, treatment plant and sewers, without paying for it. We •• that sewer agency, when we approve something to be built, we enter into an agreement that has an offer of dedication that the County can take over the treatment facility at any time without having to pay for it. So, in those cases,

the district itself doesn't have any capital outlay that we can easily identify. I would say each homeowner certainly did make a development and take the money out of his pocket. You know, each homeowner had that built into the purchase price of their home.

**LEG. D'AMARO:**

Right, sure.

**COMMISSIONER BARTHA:**

But that's not easy for us to figure out what it is.

**LEG. D'AMARO:**

Now, another thing you mentioned is sometimes you weigh the cost, or if you're seeking to hook into a sewer district, you might weigh the cost of hooking in as opposed to building your own treatment facility, and that's going to have an impact on your project and the size and your budget. And I think what you stated just before was that it's usually more cost effective to hook into the district than to build your own; is that correct?

**COMMISSIONER BARTHA:**

That's correct, particularly if it's close.

**LEG. D'AMARO:**

Okay.

**COMMISSIONER BARTHA:**

You had indicated about the distance, if someone is fifty feet ••

**LEG. D'AMARO:**

Sure.

**COMMISSIONER BARTHA:**

•• versus five miles.

**LEG. D'AMARO:**

Now, as a policy consideration, if it's more cost effective to hook into the district than build your own, if we raise the fee, I think we have to be very careful, as it becomes less cost effective. The alternative is not always to build your own, but, rather, to not do the project, and that's going to have an impact on some of the policy objectives that perhaps we're trying to accomplish.

**COMMISSIONER BARTHA:**

That's absolutely correct, and including the comments made by at least one of the speakers with respect to affordable housing. Affordable housing pivots

on density, density pivots on sewage availability.

**LEG. D'AMARO:**

Would it be problematic to have varying fees for varying types of projects? That's probably never been done in the past. Is it something that you have given any consideration to?

**COMMISSIONER BARTHA:**

It has come up. We've had some consideration to it. I think it's really a legal question that I would refer to the County Attorney's Office as to whether you could offer different classes of development, different rates.

**LEG. D'AMARO:**

Right. And just finally, do you have any thoughts at all •• let's say we did increase the fee to whatever number we felt was appropriate. Any thought at all to those that have relied on the lower fee, whether or not they should somehow be •• either we've been throwing around this term "grandfathered in" or perhaps some kind of sliding scale increase based on time or where they're at within the process itself? Any thoughts on that?

**COMMISSIONER BARTHA:**

I would suggest that projects that have received formal final approval by the Sewer Agency should be grandfathered in. Projects that have only received conceptual approval and have not advanced beyond that point should be given a certain amount of time to either get •• be at the point of full formal

approval or the rate will increase.

**LEG. D'AMARO:**

I tend to agree, because my understanding, the conceptual approval really is just saying, "Yes, we have the capacity at this time." Is that correct? And ••

**COMMISSIONER BARTHA:**

And that it's the Sewer Agency's desire to see them connected.

**LEG. D'AMARO:**

And that allows you to go further into the permitting process maybe with the towns and Health Department?

**COMMISSIONER BARTHA:**

The SEQRA process in particular, yes.

**LEG. D'AMARO:**

Correct, right, SEQRA. So you would then •• you've relied on the lower number, but at some point, if there's substantial delay where a developer or a residential developer is choosing not to go forward, they would be subjected to the higher fee?

**COMMISSIONER BARTHA:**

Right.

**LEG. D'AMARO:**

That's your feeling on that.

**COMMISSIONER BARTHA:**

Yes.

**LEG. D'AMARO:**

Yeah. Okay. I appreciate it. And, listen, thank you very much for all your service to the County. Also, I don't think it should go unstated that for the many, many years that I've known you and you served, you've been a real shining example of dedicated public service, and I and my constituents certainly appreciate that.

**COMMISSIONER BARTHA:**

Thank you very much.

**LEG. D'AMARO:**

Thank you, sir.

**CHAIRMAN SCHNEIDERMAN:**

Who was next, Legislator Kennedy or Horsley? Legislator Horsley and then Legislator Kennedy.

**LEG. HORSLEY:**

Yeah. I'll make mine fairly brief. Some of the comments that Legislator D'Amaro mentioned were also on my mind concerning the sewer district and the concerns about those that already are partially into the process, and I think we have to adjust to that. I'm not sure this bill is at this point ready for prime time.

Some of the concerns that I would have, which are similar to Legislator D'Amaro's, is that we have a capacity now with 35 million gallons per day, and we're slowly reaching that end point where we can see into the future that we're going to reach the sewer system's capacity. We should start to think about what types of hookups that are going to be outside the district that makes sense. And it's one of the things I want to talk to Counsel about for the constitutionalism of this. But, certainly, issues like affordable housing, as Mr. D'Amaro just said, Life Science Technologies that we are certainly trying to build along the 110 corridor, biosciences that require sewers, otherwise we can't •• we can't expand our economic development throughout the County. There are so many •• there are different types of businesses that I think we absolutely have to reach out to make sure that the viability of the Suffolk County economy remains intact. That has got to be built into this last 35 million gallons. And just to willy•nilly just say, "Yeah, we like this or we like that," I don't think cuts it anymore, because this is the only game in town. So I personally feel that we should table this bill at this point in time to



speak to the sponsor and come up with a more sound, more rounded, more fair bill into the future.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. The questions that I have with this bill, I guess, go to how we arrive at the number, what entities we wind up putting into it. But I guess the first question that I'll ask is, I'll pose to Counsel, this would amend Section 424 of the County Code. When did that first go on, or when was that last altered; how many years have elapsed? Say five?

**MR. NOLAN:**

Since the last time the rate changed from when it went to 50? I think the sponsor said it was five or six years ago he sponsored it with Legislator Postal.

**LEG. KENNEDY:**

Okay. Let's •• so, for argument sake, we can take six. Then I think I could go ahead and I could ask BRO what the rate of inflation has been over the last six years compounded. And, at the very least, we would begin to go ahead and see some legitimacy for increase based on what any entity pays out in the world. Increases are factored into leases. Increases are factored into many other things. We, as an entity, have encountered many, many

increases. Our cost to go ahead and operate County waste treatment facilities, which are tremendous consumers of electricity and other utilities, has gone up substantially, I would imagine. So I think that's, you know, one place that we ought to look to as far as trying to factor in a basis or a legitimacy for the increase in the cost.

The other thing, Mr. Commissioner, I guess I would ask you is, as you try to go ahead and assemble this table for us, and I'm very familiar with an initiative right now in my own district where there was a private developer who constructed a waste treatment facility, is in the process now of turning it over to the department, basically, I guess, at the department's request, because that's the primary policy in play here, we, as an entity encourage and seek to acquire privately operated facilities; is that correct?

**COMMISSIONER BARTHA:**

There's many more facilities that we have not acquired than we have, so ••

**LEG. KENNEDY:**

But it is often predicated on that evaluation process, as far as equipment, location, impact to the aquifer. We generally seek to go ahead and try to acquire them, if it's not an undue cost, an unborne cost to the County.

**COMMISSIONER BARTHA:**

Well, an undue cost to the users, because, typically, for the County to operate a sewage facility is more expensive than private operation.

**LEG. KENNEDY:**

As I just found out with Coventry Manor, substantially more.

**COMMISSIONER BARTHA:**

And that's something that •• so we do not aggressively look to take over a sewer district unless it's not being operated properly, and, you know, when it's not being operated properly, we aggressively go to take it over in order to protect the asset of the community, as well as to protect the environment.

**LEG. KENNEDY:**

Who bears the cost, then, to bring that plan up to standard.

**COMMISSIONER BARTHA:**

People in the community.

**LEG. KENNEDY:**

Because now the district is created, and so, if we had a private developer with this sewage plant in private hands and he mishandled it or allowed the equipment to go ahead and deteriorate to a point where it was a safety issue, the people in the community now must bear the ••

**COMMISSIONER BARTHA:**

Well, in some cases, it's a homeowner's association at that point and most recently, actually, it's not that recent now, but for many years now we've been requiring letters of credit and bonds to guarantee the performance of the facilities, which the developer puts up. And since that time, we've had much better track record by the private entities, because they have a financial stake in continuing to operate them properly.

**LEG. KENNEDY:**

I guess I'll keep my request simple then, so we don't go on with this. As you develop this cost, what I'm going to ask you is, is we call it opportunity cost, or what have you, not only the cost to construct, but the cost to operate as well when you look at the alternatives. Yes, there's a fixed cost that a developer must incur to construct a 200 or 300,000 gallon per day plant, but there's also got to be some kind of an ongoing cost associated with the utilities, the staffing, even a finance aspect that ought to play into that.

**CHAIRMAN SCHNEIDERMAN:**

That's a maintenance fee.

**COMMISSIONER BARTHA:**

I respectfully disagree on that, because each year this new subdivision that connects will pay the user charges that everyone else in the district pays, plus 5% by contract.

**LEG. KENNEDY:**

Well, no, I understand that there, but I think what we're talking about here in our cost panel is, is to take a look at what the cost associated with somebody coming in on our side are ••

**COMMISSIONER BARTHA:**

Well, invariably, it reduces ••

**LEG. KENNEDY:**

•• vice versa, a private operation.

**COMMISSIONER BARTHA:**

Invariably, it reduces the unit cost of bringing in a community.

**CHAIRMAN SCHNEIDERMAN:**

They're paying the daily operating costs. They pay that in the yearly fee. Or is there a monthly fee, a yearly fee? I'm not sure how it's ••

**COMMISSIONER BARTHA:**

Annual fee, right, yearly.

**LEG. KENNEDY:**

All right. I'll yield.

**CHAIRMAN SCHNEIDERMAN:**

Commissioner, because, you know, I know your department now will •• though you won't be here, your department will take on the task of developing this fare sheet, and I would like to see it be fair. And, you know, you have talked about this cost avoidance issue. What I'd like to also see is the other side of this equation, which is what our costs actually are if we had to construct the infrastructure to support the additional volume. Because I know, when I talk with Ben about Westhampton Beach hooking up, it was explained to me, either you pay a hookup fee, or you pay the construction costs. And if you pay the construction costs, you don't have to pay a hookup fee, you just pay your monthly or your annual fee.

**COMMISSIONER BARTHA:**

Provided that construction cost exceeds what the connection fee would be, based on the per•gallon rate.

**CHAIRMAN SCHNEIDERMAN:**

Right, exactly. So it just seems to me that it would be nice to see both •• look at both of those things, one as the cost avoidance, what the cost would be there, and what the cost would be •• really, what the County's true costs are absorbing that volume. What is the price of that volume based on our facility on a square foot basis?

**COMMISSIONER BARTHA:**

I will review it with Ben Wright and make sure that it's done before, I would say approximately two months.

**CHAIRMAN SCHNEIDERMAN:**

Okay. If we could have it both ways, I'd appreciate that.

**LEG. HORSLEY:**

Jay.

**CHAIRMAN SCHNEIDERMAN:**

And then Legislator Montano.

**MR. MONTANO:**

Yeah. Charlie, I just want to wish you the best. I was out of the room when people were speaking about that. But, you know, in the time that I've served in the Legislature, you and your department have been very good to my district and we really appreciate it. I wish you the best, sincerely. Thank you.

**COMMISSIONER BARTHA:**

Thanks a lot, Legislator, I appreciate it.

**CHAIRMAN SCHNEIDERMAN:**

Charlie, would this be an appropriate time to introduce Lou Calderone, or Mr. Anderson here?

**COMMISSIONER BARTHA:**

Sure. Gil Anderson is the Chief Deputy Commissioner of Public Works now. Gil.

**CHAIRMAN SCHNEIDERMAN:**

Gil.

**COMMISSIONER BARTHA:**

Formerly of Public Works in North Hempstead. And Lou Calderone has been Director of Buildings Operation and Maintenance for the department for almost years now, and has good familiarity with the County and the process.

**CHAIRMAN SCHNEIDERMAN:**

And Legislator D'Amaro.

**LEG. D'AMARO:**



Yeah. I just wanted to clarify exactly what type of cost analysis are you proposing, the cost of avoiding •• the cost that, let's say, a project would incur to build its own treatment facility, as compared against the cost to hook into the sewer district; is that what we're talking about?

**COMMISSIONER BARTHA:**

The cost of expanding an existing sewage facility. That's what I understood the request to be.

**LEG. D'AMARO:**

The cost of expanding to •• Well, you don't necessarily have to expand the existing facility ••

**COMMISSIONER BARTHA:**

Right.

**LEG. D'AMARO:**

•• to hook into it; is that correct.

**COMMISSIONER BARTHA:**

That's correct.

**LEG. D'AMARO:**

So I guess •• you know, I have a project that ••

**CHAIRMAN SCHNEIDERMAN:**

There's a value, though, to that ••

**LEG. D'AMARO:**

Right.

**CHAIRMAN SCHNEIDERMAN:**

•• square footage.

**LEG. D'AMARO:**

But there's also a value •• we have to just take that in context, because there's also a value to promote hooking into these sewer districts, whether it's environmental or economic development. So, you know, I don't mind ••

**COMMISSIONER BARTHA:**

Absolutely. I'm not suggesting that this table should be used ••

**LEG. D'AMARO:**

Right.

**COMMISSIONER BARTHA:**

•• as to set the rate. It should be somewhere below this table.

**LEG. D'AMARO:**

Right. I just want to point out on the record that you have to take a table at face value. There are other policy considerations going into where we wind with a figure.

**LEG. HORSLEY:**

Absolutely.

**CHAIRMAN SCHNEIDERMAN:**

Yeah, I agree, too.

**LEG. BROWNING:**

Are we done?

**CHAIRMAN SCHNEIDERMAN:**

All right. I think that concludes this conversation. So there has been a motion to table and there was a second already; is that correct?

**MS. ORTIZ:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

All right. All in favor? Any opposed? Okay. Resolution 1854 is ***tabled*** (***Vote: 7•0•0•0***).

Okay. ***Resolution 1880 • To require the percentage of recycled paper used to be indicated on all publications of the County of Suffolk.***

**LEG. D'AMARO:**

Motion to table.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table.

**LEG. HORSLEY:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

And a second. The sponsor is not here. Any discussion on the tabling motion? All right. All in favor? Opposed? Abstentions? Okay. 1880 is ***tabled (Vote: 7•0•0•0)*** .

**LEG. D'AMARO:**

You want to go back to the other one?

**LEG. BROWNING:**

You want to get back to that other one?

**CHAIRMAN SCHNEIDERMAN:**

Yeah. Are we ready to go back? Okay. So that was ***1545, going back now, to establishing the E•waste policy***. Does BRO have any •• do we have that financial analysis?

**MS. ORTIZ:**

You should have gotten it.

**CHAIRMAN SCHNEIDERMAN:**

Oh was it circulated?

**MS. ORTIZ:**

Yes.

**LEG. D'AMARO:**

Mr. Chairman, also, could ••

**CHAIRMAN SCHNEIDERMAN:**

Go ahead.

**LEG. D'AMARO:**

Could we ask just Counsel very briefly to explain the bill? A little tougher after lunch, but ••

**MR. NOLAN:**

First, the resolution states a policy that to the extent practicable, the reuse

and recycling of electronic products is going to be the policy of the County, states a general policy. It states that all departments and agencies of the County shall seek, when possible, to employ strategy to reuse electronic equipment, provided that the electronic equipment is not obsolete, and goes on to state further that this strategy shall include donating electronic equipment to not•for•profit organizations, which is something we do already, and to reuse electronic components, such as memory, disk drive, circuit boards, et cetera. Thirdly, that County electronic equipment that is determined to be surplus and which is not sold at auction which is something we use with surplus and which is not sold at auction, which is something we do with surplus electronic equipment as well, we do try to sell at auction, shall be recycled only in a manner which will ensure the greatest protection of the public health and environment. And most specifically authorizes the Department of Public Works to issue an RFP to identify and select an electronic waste recycler to implement the policy, to get the equipment and to recycle it. And fourth, states that all departments and agencies of the County shall require bidders and respond to solicitations for electronic equipment, to propose a program, a take•back program, to take back the equipment when we're done with it and to reuse it.

**CHAIRMAN SCHNEIDERMAN:**

I'm sorry, Counsel. Is that a separate RFP for each department, or one overall RFP?

**MR. NOLAN:**

One. It directs just the Department of Public Works to issue the RFP.

**CHAIRMAN SCHNEIDERMAN:**

For the whole •• for all departments of the County.

**MR. NOLAN:**

Right.

**CHAIRMAN SCHNEIDERMAN:**

All right. Any other questions?

**LEG. D'AMARO:**

No. It just seems to me that it adds another method of disposing of electronic equipment once it's gone past its useful life. I mean, right now, we can •• what, do we auction it, we donate it, and now we'll try and recycle it.

**MR. NOLAN:**

There's a couple of different strategies. If we're not •• and let's say we try to auction and we cannot. It attempts to, when practicable, to get into our contracts and our RFP's, that the companies who provide the equipment the option to take it back from us. That's one thing that we're attempting to do.

**LEG. D'AMARO:**

But that's not mandatory under the bill. We still have all the other options available?



**MR. NOLAN:**

Right. It's a series of different strategies. And I think it was to give departments some flexibility, so they wouldn't be totally hamstrung in making purchases and so forth.

**LEG. D'AMARO:**

Okay. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

All right? Any other comments? Legislator Romaine.

**LEG. ROMAINE:**

Could we hear from Ben Zwirn on this, on his careful crafted thoughts on this resolution?

**MR. ZWIRN:**

The County Executive is always in favor of recycling. I don't think we have any objection to this particular bill.

**CHAIRMAN SCHNEIDERMAN:**

And what about the Commissioner, any comments on this?

**COMMISSIONER BARTHA:**

Nope.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Has there been a motion? Yes, there was.

**MS. ORTIZ:**

Yes.

**LEG. BROWNING:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

There was a motion earlier by Legislator Browning and a second by Legislator, I think, Horsley. All right. All in favor? Opposed? Abstentions? 1545 is ***approved (Vote: 7•0•0•0)***

**INTRODUCTORY PRIME**

Okay. We're up to Introductory Prime. ***1958 • Amending the 2006 Capital Budget and Program and appropriating funds in connection with strengthening and improving County roads.***

**MR. ZWIRN:**

Mr. Chairman.

**CHAIRMAN SCHNEIDERMAN:**

Where did that come from?

**MR. ZWIRN:**

If I might.

**CHAIRMAN SCHNEIDERMAN:**

Oh, yes, Mr. Zwirn.

**MR. ZWIRN:**

Where is the voice coming from? 1959 and 1958, the next two bills, have to be tabled, because they were pay/go, which were suspended, going to be bonded, and we need •• and we have to wait •• we'll have to wait until September.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So I'll make a motion on 1958 to table, second by Legislator Horsley.

**LEG. D'AMARO:**

I'm sorry. Could I •• we're talking about this bill, 1958?

**CHAIRMAN SCHNEIDERMAN:**

Yes.

**LEG. D'AMARO:**

Is required to be tabled?

**CHAIRMAN SCHNEIDERMAN:**

That's what was said.

**LEG. D'AMARO:**

Mr. Zwirn, what was the rationale?

**MR. ZWIRN:**

These were pay/go projects that we have waived.

**CHAIRMAN SCHNEIDERMAN:**

They have to change the funding source.

**MR. ZWIRN:**

We changed the funding source and now it has to ••

**LEG. D'AMARO:**

I thought we did waive. I thought we already completed the waiver for this year.

**CHAIRMAN SCHNEIDERMAN:**

All right. Hold on, everybody.

**MR. ZWIRN:**

My understanding was this had to be done in September.

**CHAIRMAN SCHNEIDERMAN:**

Also, Legislator Romaine.

**LEG. ROMAINE:**

Yeah. I don't know why we can't proceed with these as pay•as•you•go. Is there something that would prohibit us from accepting this as pay•as•you•go?

**CHAIRMAN SCHNEIDERMAN:**

We committed pay•as•you•go in an earlier resolution. It's not available.

**LEG. ROMAINE:**

It's not available.

**CHAIRMAN SCHNEIDERMAN:**

I recall doing a resolution where we agreed to not use that money in that big  
••

**LEG. ROMAINE:**

I didn't vote in favor of that.

**CHAIRMAN SCHNEIDERMAN:**

Closing the hole, the ••

**LEG. ROMAIN:**

I voted against that one.

**CHAIRMAN SCHNEIDERMAN:**

The fifty•million dollar hole, something like that.

**LEG. D'AMARO:**

We forgive you.

**MR. ZWIRN:**

Yeah, because that was saving money in that one.

**LEG. ROMAIN:**

That's when you go into debt, the way to get out of it is by going into debt even deeper. That's the one I opposed.

**MR. NOLAN:**

I thought we had already started ••

**MR. ZWIRN:**

I thought you were the one who said we should borrow more money now because the interest rates were lower.

**LEG. D'AMARO:**

I thought you wanted to spend 100 million to fill the County positions.

**LEG. ROMAINE:**

I don't fill those jobs.

**CHAIRMAN SCHNEIDERMAN:**

Can we have some order here? I will call upon you and then you may speak.  
Legislative Counsel.

**LEG. D'AMARO:**

Sorry, Mr. Chairman.

**CHAIRMAN SCHNEIDERMAN:**



George Nolan.

**MR. NOLAN:**

Yeah. I think Ben may be wrong. I think we've already started approving resolutions that switched the funding from pay•as•you•go to bonding.

**CHAIRMAN SCHNEIDERMAN:**

All right. Why don't we discharge it without recommendation, then we'll deal with it on the floor. All right. So can •• I'll withdraw the motion to table and make it a motion to discharge without recommendation, and a second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **(Vote: 7•0•0•0•0)**

***1959 (Amending the 2006 Capital Budget and Program and appropriating funds in connection with application and removal of land markings (CP 5037), same motion, same second. (Vote: 7•0•0•0•0)***

***1972 • Authorizing public hearing for approval of rates for Fire Island Ferries.*** We have a motion.

**LEG. HORSLEY:**

Motion to approve.

**CHAIRMAN SCHNEIDERMAN:**

Motion by Legislator Horsley, second by Legislator Browning. All in favor? Opposed? Abstentions? **(Vote: 7•0•0•0).**

***1973 • Authorizing the alteration of rates for Fire Island Ferries, Incorporated.*** It needs to be tabled, so motion to table by Legislator Horsley, second by Legislator Browning. All in favor? Opposed? Abstentions? **(Vote: 7•0•0•0).**

***1977 • To conduct a pilot program for S92 bus route.***

**MR. NOLAN:**

I just need to point out that the fiscal impact statement is not with the resolution, so it cannot be discharged from the committee.

**LEG. HORSLEY:**

Motion to table.

**LEG. D'AMARO:**

Motion to table.

**LEG. ROMAINE:**

We can't discharge it without recommendation?

**MR. NOLAN:**

No. The Charter has recently been amended to say that we •• it cannot be discharged from committee without the fiscal impact.

**CHAIRMAN SCHNEIDERMAN:**

I haven't read your bill. Actually, I've been working on a very similar bill. I'm not sure. This is just for the S92 route?

**LEG. ROMAINE:**

This is just the S92. It's a pilot program, because obviously •• and I believe your the cosponsor on this one as well. We ••

**CHAIRMAN SCHNEIDERMAN:**

Thanks for letting me know. What is that?

**LEG. ROMAINE:**

I think we let your staff know, but ••

**LEG. D'AMARO:**

Mr. Chairman, could I also ask a question?

**CHAIRMAN SCHNEIDERMAN:**

Well, just ••

**LEG. ROMAINE:**

The pilot program is probably the best type of study that you could do. I mean, you can do studies, but I think having a pilot program for a set period of weeks, you have a much better data base in which to make judgments, and that's why this resolution is here. Obviously, if there's no financial impact statement, I'll move to table it.

**LEG. MONTANO:**

Second.

**MR. ZWIRN:**

Yeah, how do you pay for it?

**CHAIRMAN SCHNEIDERMAN:**

On the motion, I just ••

**MR. ZWIRN:**

It would be good to know how you pay for it.

**CHAIRMAN SCHNEIDERMAN:**

I just want to say on the motion that I've been working also on a pilot program, not for S92 but similar in terms of a Sunday bus, and it would include the north and south fork but also include Yaphank and Shirley. And we have a 50% match for that program, so the cost would be limited for the County and it's for ten Sundays, hopefully beginning next year. So maybe we can join forces at some point so we don't have competing bills.

All right, so there was a motion and a second to table. All in favor? Opposed? Abstentions? **1977 is tabled (VOTE: 7•0•0•0).**

**1978•06 • To conduct a feasibility study for the expansion of the 7D Bus Route (Romaine).** Oh, this is the Yaphank one that we heard testimony on?

**LEG. ROMAINE:**

Yes, this is for one mile to go through an industrial park where obviously you could get more users, particularly factory workers who would prefer to take the bus if they felt it was convenient. Right now the bus passes right past the industrial park and this is something that the East Yaphank Civic Association from the area has recommended because they see it and they

say, "Why doesn't it go into the industrial park where they could pick up more customers?"

**CHAIRMAN SCHNEIDERMAN:**

Commissioner?

**LEG. ROMAINE:**

It's a feasibility study, it doesn't dictate that it be done, it simply, it's simply that the study be done.

**COMMISSIONER BARTHA:**

We've asked that this •• we would ask at this time that this study period be extended by 30 days, from 90 to 120 days, to allow us sufficient time to evaluate it.

**LEG. ROMAINE:**

You think the extra 30 days is needed?

**COMMISSIONER BARTHA:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

Can we do that by amendment? Let the bill move forward and then amend it to add the additional time, if it's needed?

**LEG. ROMAINE:**

If I was aware of this, I would have submitted this. And what we could do is we could vote this out without recommendations and by the deadline of tomorrow we could change the 90 to 120.

**MR. NOLAN:**

No, the amendment deadline is past.

**LEG. ROMAINE:**

Oh, it is.

**MR. NOLAN:**

I think what Legislator Schneiderman was stating was pass the resolution as is and then amend this resolution later to add extra time if it's needed by the department.

**LEG. ROMAINE:**

Because what you're doing is you're putting it off for another month and this

is just a very simple ••

**CHAIRMAN SCHNEIDERMAN:**

Well, what I'm suggesting is we don't put it off for another month, we pass it and then later you introduce a bill adding an additional month of time to ••

**LEG. ROMAINE:**

Okay, or allowing an additional month of time, absolutely.

**CHAIRMAN SCHNEIDERMAN:**

Right. Legislator D'Amaro?

**LEG. D'AMARO:**

Yeah, I just want to go into a little bit this bill and the last bill about, you know, if we feel there's a need to expand a bus route, is that the norm to do this by legislation, to have these pilot programs and studies? I mean, we went through this with your County road and we had a bill pending which ultimately wasn't passed because it was done administratively, and I'm just questioning whether or not the administration, Mr. Zwirn, has any opinion on that?

**MR. ZWIRN:**

Well, through the Chair, I think the County Executive is always concerned



with any pilot program. I mean, if it's something that he wants to do administratively he'll move forward with it, but it's the pilot programs and how you pay for them? You know, it's easy to say let's have a pilot program and you stand in front of a bus shelter and say, "We're going to have Sunday buses," and then say, "Well, the County Executive said no." The fact is you •

- one of the reasons we want to have a BRO report, the answer is we're not opposed to pilot studies if somebody can show us a way of how to pay for them.

**LEG. D'AMARO:**

Well, also ••

**LEG. ROMAINE:**

Mr. Chairman, I would simply point out that this is ••

**LEG. LOSQUADRO:**

Hold on, I wasn't ••

**LEG. ROMAINE:**

Oh, I'm sorry.

**LEG. D'AMARO:**

Thank you, I appreciate it. But let's say in my district if I feel •• because I'm

in my district, if I feel there's a need to expand the bus route, okay, could I make that request to the Department of Public Works to look into that for me and do a study in-house, let's say? Do I need to go through the Legislative process to accomplish this?

**MR. ZWIRN:**

Generally, no. I mean, the Commissioners will respond to the Legislature as well as the County Executive and they do. I think the County Executive, and your point is well taken, would prefer to go through •• go through the Health Department instead of, you know, coming out with all these programs and then the Health Department having to react to them. To work through the Planning Department, the Health Department or Public Works and coming out with a project that is well thought out in advance and has the support of the department I think would be much more helpful as opposed to finding out that we need another 30 days to do a study. If you had come to the department first then we wouldn't probably have this issue right now.

**LEG. D'AMARO:**

What is the cost of a pilot study or program?

**MR. ZWIRN:**

Well, that's one of the problems why you can't •• we've asked BRO to ••

**CHAIRMAN SCHNEIDERMAN:**

A pilot program is very different than a study, a pilot program is actually

implementation.

**MR. ZWIRN:**

When we did the County Road 39 Program, the County Executive said it cost about •• it was about \$7,000, Public Works said about \$7,000 in personnel a week in order to do that program and the County Executive came up with the funding to do that. And the Town of Southampton then had an opportunity to go figure out how they were going to pay for their law enforcement personnel to oversee the project and the Sheriff's Department, you know, to figure out how they were going to work out their overtime budget and try to get people there along the County Road 39 to help enforce it. It's always more helpful on planning steps, for buying property, to go through the Planning Department so we don't come up with parcels that have a score of four or 14 or haven't gone through the Farmland Preservation Committee. If you have •

- you go through the departments and they will respond, I mean, they're professional, you know, departments and professional heads of those departments, the Commissioners will respond to Legislators and work with you to try to do the best thing we can for the residents of the County. So that would be preferable.

**CHAIRMAN SCHNEIDERMAN:**

It doesn't seem like there's any harm, though. If we could move along with the agenda, it sounds like it has the support.

**LEG. ROMAINE:**

This is a feasibility study, I'll point that out, and not a pilot study. This is simply asking Public Works to take a look at this and this is one mile of an industrial park which is adjacent to William Floyd Parkway.

**CHAIRMAN SCHNEIDERMAN:**

Motion by Legislator Romaine, I'll second ••

**LEG. BROWNING:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Oh, second by Legislator Browning.

**LEG. D'AMARO:**

Just on the motion, very quickly.

**CHAIRMAN SCHNEIDERMAN:**

On the motion.

**LEG. D'AMARO:**

Just through the Chair, I'd like to ask the sponsor why this is a feasibility study where the other one, the prior bill was a pilot program; just why the distinction?

**LEG. ROMAINE:**

Well, I'll talk to why this is a feasibility study. The civic leader and the head of their Chamber of Commerce has dealt with Public Works with this. I know Legislator Browning raised this issue with Public Works, I know I raised this issue with Public Works and there did not seem to be an interest in expanding this bus service. So that's why this resolution came forward, because we'd like to see the feasibility study be done.

Again, this industrial park is about a one mile situation of roadway with a number of industrial buildings in it adjacent to William Floyd where the bus runs by, why not run it in there and out? There's plenty of road space to do it, they're large roads in that park. And I think the best way to find out is to do a study to determine ridership, because I don't think the extra time for the route would be justified. I think it would be justified if there was a ridership there and that's what we're looking to achieve.

**CHAIRMAN SCHNEIDERMAN:**

This is in•house, correct?

**LEG. ROMAINE:**

Yes, this is in•house.

**LEG. D'AMARO:**

Right, I appreciate that. Just to follow•up on that •• again, through the Chair •• to the sponsor, you said there seemed not to be an interest in doing this; who are you referring to, not interested in doing it?

**LEG. ROMAINE:**

We didn't get that type of feeling that they were prepared to do this on their own volition.

**LEG. D'AMARO:**

Who's they?

**LEG. BROWNING:**

Bob Shinnick's here.

**LEG. ROMAINE:**

Bob •• well, if you could ask Bob to come up, maybe he can comment on that.

**CHAIRMAN SCHNEIDERMAN:**

All right, Mr. Shinnick, if you'd step forward. I know Mr. Zwirn ••

**LEG. D'AMARO:**

Mr. Chairman, the reason why I asked the question, and just for the sponsor to know also, is if the feasibility has already been examined, I'd like to know about it at this point.

**LEG. ROMAINE:**

Okay. That's a good question.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Shinnick, I think there are a couple of questions for you. Legislator D'Amaro, if you want to re ask the last question.

**LEG. D'AMARO:**

Yes, thank you Mr. Chairman. I just would like to know whether or not what this feasibility study is asking, has that already been looked at or studied by your department?

**MR. SHINNICK:**

We had looked at this several years ago. We met with the East Yaphank Civic and Chamber of Commerce and we were not able to recommend that the service be extended into the complex for a number of reasons. We're more than willing to look at this again objectively and reduce, you know, our findings to writing.

**LEG. D'AMARO:**

Well, I'm sure if we passed the legislation you'd be more than willing, I appreciate that.

**MR. SHINNICK:**

I didn't mean to put it that way.

**LEG. D'AMARO:**

No, that's fine. My question really is, though, if you determined in the past that it was not feasible, you said there were several reasons for that conclusion; can you tell me what they were?

**MR. SHINNICK:**

It's considerably more than a one mile extension. The industrial park abuts the William Floyd Parkway and where it has an entrance to the parkway, there's only one way in and out and that's northbound. So vehicles that want to enter into that park would have to travel northbound on William Floyd Parkway, loop through the complex which is about 1.9 miles in the industrial section, come out the same place that they entered and have to continue north again on William Floyd Parkway.

**LEG. D'AMARO:**

All right, so that is based on the infrastructure, the route itself.



**MR. SHINNICK:**

That's correct, yes.

**LEG. D'AMARO:**

Has anything changed between then and now?

**MR. SHINNICK:**

There may have been a few more businesses move into the site. But it's not built out, the ••

**LEG. D'AMARO:**

Okay, but it won't change the distance traveled or ••

**MR. SHINNICK:**

Not to my knowledge, no.

**LEG. D'AMARO:**

Was the feasibility tied to the projected ridership?

**MR. SHINNICK:**

The feasibility had to do with the routing, the impact of the routing on the schedule, and we also ••

**LEG. D'AMARO:**

I'm sorry, I didn't hear you; the routing, what was that?

**MR. SHINNICK:**

The routing itself, it involved the buses to actually access the on and off ramps and service road of Long Island Expressway.

**LEG. D'AMARO:**

Would that hold true today?

**MR. SHINNICK:**

In all likelihood, yes, unless the bus continued further north to the old par area, Whispering Pines Community.

**LEG. D'AMARO:**

So that was a negative factor then and that would be a negative factor

today.

**MS. SHINNICK:**

That's correct, yes, sir. And in addition to that, you know, buses notoriously travel fairly slow. The distance involved was in excess of five miles, I think it was actually in excess of six. At the time and the speeds that the buses do travel, you'd be adding 12 to 15 miles travel •• minutes, excuse me, travel time to a schedule that currently now simply crosses the William Floyd Parkway and continues on, so we'd have to reschedule all of the buses.

The other issue that we were not able to finalize was talking to the business owners in the complex to identify where their workers did come from and tie that back to some kind of scheduling so we could get vehicles hopefully to the communities where these riders were coming from or would be coming from and bringing them to and from work.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Browning?

**LEG. BROWNING:**

Yeah, I know there are some plans to do some changes on the William Floyd Parkway by the railroad tracks, going under towards the 7th Precinct. I do believe, I know our civic members here could nod his head or not, I do believe that coming out of that complex you still cannot make a left, even though there's a light at the police station; am I correct?

**MR. SHINNICK:**

That's correct, you can only travel northbound.

**LEG. BROWNING:**

Yeah. And I know that we had talked and you're not really getting a good response from the businesses; however, it has been a few years and I know there are some new businesses there. And I would like to know, because I'm pretty sure that, you know, you have the Wally's, Uncle Wally's, whatever that's called, isn't that in there? And there are some businesses and I know that some of the residents in my district do work in that complex.

**LEG. HORSLEY:**

They do cookies?

**MR. NOLAN:**

Muffins.

**LEG. BROWNING:**

Yeah, whatever it's called.

**CHAIRMAN SCHNEIDERMAN:**

That's in Shirley, isn't it?

**LEG. BROWNING:**

But no matter. When is the plans to put that new road at the LIE, how long is it going to be before that happens?

**COMMISSIONER BARTHA:**

I'll turn to Bill.

**MR. HILLMAN:**

We're just at the beginning stages of the study, so that would be •• it's hard to really pin it down, but I would estimate it four to five, six years out; it's quite a ways out.

**LEG. BROWNING:**

Oh, wow; longer than I thought it would be.

**LEG. ROMAINE:**

That's why we do a feasibility study.

**LEG. BROWNING:**

Okay. Well, I will support you on that and I would also like to be a cosponsor on that bill.

**CHAIRMAN SCHNEIDERMAN:**

All right. Lou, can I call it?

**LEG. D'AMARO:**

Well, it just seems to me that the feasibility study has already been done and it's not feasible.

**CHAIRMAN SCHNEIDERMAN:**

Well, in some ways ••

**LEG. D'AMARO:**

I think that's what I heard.

**CHAIRMAN SCHNEIDERMAN:**

In some ways it sounds like a foregone conclusion, but ••

**LEG. D'AMARO:**

Well, then I'd like to offer a motion to table, Mr. Chairman.

**CHAIRMAN SCHNEIDERMAN:**

Well, there may be some factors here. Legislator Kennedy, you look like you're ••

**LEG. KENNEDY:**

Again, I'm just relating to I think what the department said, that there was some contact that went back a couple of years ago associated with trying to contact the businesses. And some of the rationale articulated, that there would be 12 to 15 minutes added to a bus schedule, kind of flies in the face of what we sit here and talk about as far as making buses available. It's not that we're looking to go ahead and turn a profit on them, we admit there's a cost; we're trying to put transportation in place for people who don't have it otherwise. It sounds like there's a good rationale being made here to go ahead and help folks that need to be able to, you know, travel by way of public transport.

**CHAIRMAN SCHNEIDERMAN:**

All right, can we call •• we now have a motion to table, unless it's being withdrawn.

**LEG. ROMAINE:**

There is a second?

**CHAIRMAN SCHNEIDERMAN:**

You second the motion to table?

**LEG. ROMAIN:**

No, I said has it been seconded?

**CHAIRMAN SCHNEIDERMAN:**

No, it has not been seconded.

**LEG. KENNEDY:**

We've got a motion for what, a motion to approve?

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table at this point and there's no motion to second, so the tabling fails. And now we have a motion to approve, I think it was by Legislator Romaine, second by Legislator Browning.

All in favor? Any opposed? Abstentions?



**LEG. D'AMARO:**

I'll abstain.

**CHAIRMAN SCHNEIDERMAN:**

Okay, Legislator D'Amaro is abstaining and the bill passes.

***Approved (VOTE: 5 • 0 • 1 • 1 Abstention: Legislator D'Amaro • Not Present: Legislator Montano).***

***1984 • 06, the Orwellian resolution, To transfer portion of cr 63 (Peconic Avenue) to the Town of Riverhead (Romaine).***

**LEG. HORSLEY:**

Boy, that is Orwellian.

**LEG. ROMAINE:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Motion to approve by Legislator Romaine, second by ••

**COMMISSIONER BARTHA:**

Mr. Chairman?

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator D'Amaro. On the motion, who •• the County Attorney is here, the Commissioner; who wants to go first?

**COMMISSIONER BARTHA:**

I'd like to go first. I object to this resolution at the present time. I have been in correspondence with the Supervisor over this, I had last wrote to him June 9th of this year and have not received a response. We think it is critical that this road, which is only eight•one hundredths of a mile long between 25 and Main Street be not separated with respect to its maintenance responsibilities. It should be either all the County or all the town, meaning the Town of Southampton should enter into an agreement with Riverhead if Riverhead wants to maintain it and Riverhead should maintain all of it.

With respect to •• everyone •• we're all familiar with the things you see in the newspaper criticizing government for the multi•layers of road responsibilities. What is brought up before about snow removal is a perfect example where the plows or the salt trucks would get to the center of this culvert and have to stop, lift their plows and proceed across Main Street to

work on the next County Road north of there. The town and the County have different degrees of policies with respect to snow removal. For instance, we have a bear road policy, we apply only salt; the town typically applies sand. You would have issues in the future with respect to repaving, that possibly a portion of the road would be repaved, the other 200 feet would not. Similarly with striping; we think it's important. As well as the culvert itself, we have suggested that the culvert be the responsibility of the town to maintain.

In any event, we have had, as I say, negotiations. The Supervisor wrote to me, I wrote back June 9th, and have not received a response.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. And hopefully we all have a copy of the January 19th, 2006 memo signed by William Hillman, the chief Engineer, where he indicates clearly that the County is willing to give this portion of the road to the Town of Riverhead, but that the County wants to retain control over the culvert, that's the culvert in which the Peconic River flows under; he states that in this letter.

Now, DPW may have had a change of heart, but the Town of Riverhead proceeded on the correspondence of DPW dated January 19th for this purpose. What •• what the County DPW now wants Riverhead to do is not only maintain the Riverhead portion, but now to maintain the culvert and now to maintain the Southampton portion which isn't in the Town of Riverhead. That's, I believe ••

**CHAIRMAN SCHNEIDERMAN:**

I didn't hear him say maintain the culvert, though. You still •• the County still is going to maintain the culvert in terms of the flow?

**COMMISSIONER BARTHA:**

I would suggest that the town also maintain that. And in the first place, we have not ••

**LEG. ROMAINE:**

So but ••

**CHAIRMAN SCHNEIDERMAN:**

All right, I'm sorry, I missed that.

**COMMISSIONER BARTHA:**

It was not our idea for the town to take over maintenance here.

**LEG. ROMAINE:**

Okay. Right, right, but ••

**COMMISSIONER BARTHA:**

The town wanted to construct something that we considered unsafe. And in order for them to proceed with this construction •• which they have proceeded with anyhow without a permit, as they indicated •• we suggested that since we didn't want any part of it that they take over the maintenance. This was initiated by their actions.

**LEG. ROMAINE:**

I would simply point out that the original memo, which everyone has a copy of, DPW has said take over the portion of the road, we would like to maintain the culvert, as the County should, as they have on other projects because the river flows under that culvert, and that was it. Now DPW is saying, and perhaps that's why the Supervisor didn't understand that there was a change of heart and didn't respond, but now DPW is saying, "Well, guess what? Not only do we want you to •• if you want to take over the 200 feet that are on the Riverhead portion, now we want to maintain the culvert and we also want you to maintain the Southampton portion." I believe that is ••

**CHAIRMAN SCHNEIDERMAN:**

Can we have clarification? It's not really a culvert, isn't it like a bridge, isn't there a river that runs under this thing?

**LEG. ROMAINE:**

Right. Well, it's like a large culvert.

**COMMISSIONER BARTHA:**

Yes.

**MR. ZWIRN:**

Mr. Chairman, if I ••

**CHAIRMAN SCHNEIDERMAN:**

The boats go under it? No.

**LEG. ROMAINE:**

No, no.

**COMMISSIONER BARTHA:**

That letter also indicates from the traffic circle to Main Street, and that is not what this resolution is about.

**MR. ZWIRN:**

Mr. Chairman?

**LEG. ROMAINE:**

This resolution is about the Town of Riverhead taking possession of that portion of the road that is in the Town of Riverhead. For the Town of Riverhead to agree to maintain a portion of the road outside the township is a highly unusual request for the Town of Riverhead.

My resolution deals with what the Town Board requested by resolution and what they thought they were entering into which is to maintain the Riverhead portion of this road. This relieves the County of that liability and that responsibility, the town is prepared to do it.

The town obviously isn't prepared to maintain the Southampton portion of this road.

**CHAIRMAN SCHNEIDERMAN:**

We understand what the resolution does. I think we need more information and ••

**MR. ZWIRN:**

Mr. Chairman, if I might.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Zwirn?

**MR. ZWIRN:**

One of the things •• one of the issues that the County Executive will raise and the County Attorney's Office is going to speak to is that we would require an inter municipal agreement with the Town of Riverhead, at the very least spelling out the conditions and the maintenance responsibilities on this particular road transfer. So all this other debate is nice, but we're still going to need that and that's not part of this. We have a Town Board resolution, we have a willingness to part with the road, but there are still some issues that have to be worked out and have to be the subject of an agreement

between the County and the town that has not been done yet.

**CHAIRMAN SCHNEIDERMAN:**

Can that be •• let's say the Town of Southampton wasn't involved in maintaining the other small section, could it be done through a County and department •• County and the Town of Riverhead that Riverhead, through an inter municipal agreement, would maintain that section that's in Southampton but it's a County road?

**MS. LOLIS:**

The town could agree to whatever the County and the town want to agree to. This transfer ••

**CHAIRMAN SCHNEIDERMAN:**

Including maintaining a road that's outside their district?

**MS. LOLIS:**

Well, then you really need to pull in Southampton for that. I'm sure Southampton is not going to care if somebody maintains their road, but it's •  
• you're going to get into liability issues when you come that, too.

But as far as this is concerned, before you can do this transfer, you need the inter municipal agreement and you also need the approval of commissioner Bartha in order to do it.



**LEG. ROMAINE:**

Mr. Chairman, if I could respond to that.

**CHAIRMAN SCHNEIDERMAN:**

I don't ••

**LEG. ROMAINE:**

I happen to have a copy of Section 115•B of the Highway Traffic Laws, or whatever it is, and it says, "In the event that such an agreement cannot be reached with the approval of the Commissioner of Transportation" •• in this case, our Public Works Commissioner ••

"The Board of Supervisors" •• in this case, the County Legislature •• "of any County may remove a road or part of a road from a County Road System upon the adoption of a resolution thereof by the board" •• I've got to look at this •• "By the board, the County map referred to in Section 115 of this chapter."

We can do this. And by the way, when we do this, then that portion of the road reverts to the town. We can do this by resolution, we don't need an inter municipal agreement, we have the power within our •• we have the power •• you're shaking your head no.

**MS. LOLIS:**

Well ••

**LEG. ROMAINE:**

The way I read this ••

**CHAIRMAN SCHNEIDERMAN:**

All right, let's hear from ••

**MS. LOLIS:**

If I may respectfully disagree.

**CHAIRMAN SCHNEIDERMAN:**

We have two Counsels, I think both who want to chime in on this, so we'll start with Gail, Gail Lolis.

**MS. LOLIS:**

115•B of the Highway Law refers to Commissioner Bartha as the County Superintendent of Highways; the Commissioner of Transportation referred to in that law is referring to the State.

**LEG. ROMAINE:**

Okay.

**CHAIRMAN SCHNEIDERMAN:**

All right. And Mr. Nolan, you had a comment as well?

**MR. NOLAN:**

I was just going to point out that the Commissioner of Transportation is the State Commissioner of Transportation.

**CHAIRMAN SCHNEIDERMAN:**

And Mr. Hillman, a letter was presented moments ago, I guess that you had signed, the County's willingness to transfer part of this road; so that is no longer the position of the County? I mean, it's really,

I guess, as the Commissioner, but what has changed maybe since that letter was written and is that no longer the County's position?

**MR. HILLMAN:**

I believe it is still the opinion of this department that we would encourage the town to take over the responsibility from the circle to 25; in addition, the

culvert. And the change from the original January memo to now is really •• the only change from that memo is the culvert and that change was due to staff level discussions and discussions with the commissioner.

**CHAIRMAN SCHNEIDERMAN:**

The Vector Control Program, it seems to me they would have an interest in maintaining that culvert somehow, that might be a mistake to transfer that to the town. I think most of these waterways are managed by the County, are they not?

**COMMISSIONER BARTHA:**

Well, this is the structural •• capacity of the culvert that's the issue here.

**CHAIRMAN SCHNEIDERMAN:**

Oh, the actual •• all right. Oh, the culvert as it pertains to holding the roadway up, not as it pertains to let's say if it gets stuffed with sticks and brush and that kind of thing.

**COMMISSIONER BARTHA:**

Yes, I don't believe that that has been an issue.

**LEG. HORSLEY:**

What are they going to build on it?

**CHAIRMAN SCHNEIDERMAN:**

All right, Legislator Kennedy. I want to try to wrap this up.

**LEG. KENNEDY:**

Thank you, Mr. Chair, I appreciate that comment. You mentioned before that you were concerned about some of the things that Riverhead had done with this regarding the culvert; what does that mean?

**COMMISSIONER BARTHA:**

With respect to the roadway. Bill, please?

**MR. HILLMAN:**

Riverhead has done a major expansion of their waterfront park which will draw many more motorists and pedestrians and bicyclists to the area. We feel that the area is extremely congested to begin with and we would like to try and mitigate safety and congestion issues by limiting a left turn out. They have, as previously stated, had full access. When they were coming in for a permit and due to the growth in the area and increased congestion, we thought it would be in the best interest of •• it's a congestion mitigation method.

**LEG. KENNEDY:**

Again, I'm just trying to visualize it. I mean, I know it well and I've seen that bridge with traffic bumper to bumper from the traffic circle right up to Main Street. So what is it that we would be seeking recommending or hasn't been done? I don't understand.

**MR. HILLMAN:**

The driveway is just north of the bridge and they •• we would recommend having that as a right turn out, right turn in only, and also a left turn in. What we have ••

**LEG. KENNEDY:**

That's a private entity on the corner there, that's a bank. So you're saying that driveway that accesses traffic into the private entity?

**MR. HILLMAN:**

No, it's just ••

**COMMISSIONER BARTHA:**

It's municipal parking.

**LEG. KENNEDY:**

Oh, I see, right, by the Barber Shop. All right. And they're unwilling to go ahead and make that limitation?

**MR. HILLMAN:**

The town has objected to limiting the left turn out. In addition, they have proposed a pedestrian crosswalk, unsignalized, and we have concerns over the safety of providing a crosswalk at that location.

**CHAIRMAN SCHNEIDERMAN:**

And that's because it's our road; and if it becomes their road, they can do what they want?

**MR. HILLMAN:**

That's correct.

**CHAIRMAN SCHNEIDERMAN:**

Okay. All right, so where are we now? Have we •• has there been a motion?

**LEG. HORSLEY:**

Motion to table.

**CHAIRMAN SCHNEIDERMAN:**

Has there been a motion at all on this?

**LEG. ROMAINE:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

There was a motion to approve?

**LEG. D'AMARO:**

Then there was a second.

**CHAIRMAN SCHNEIDERMAN:**

And there was a second.

**LEG. D'AMARO:**

Yeah, but I'll withdraw my second.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So there's a motion to approve. Is there a second on the motion to approve?



**LEG. KENNEDY:**

I'll second for the purposes of discussion.

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**LEG. D'AMARO:**

Won't you make a motion to table.

**CHAIRMAN SCHNEIDERMAN:**

We don't need to discuss it. Is there a motion to table at this point?

**LEG. BARRAGA:**

I'll make a motion to table.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table, I suspect, and a second?

**LEG. HORSLEY:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table by legislator browning, second by Legislator Horsley. On the motion? Okay, all in favor?

**LEG. HORSLEY:**

Of the table?

**CHAIRMAN SCHNEIDERMAN:**

Of the tabling motion. Opposed?

**LEG. ROMAINE:**

Opposed.

**CHAIRMAN SCHNEIDERMAN:**

I think it needs to be tabled.

**LEG. KENNEDY:**

I'll abstain.

**CHAIRMAN SCHNEIDERMAN:**

So again, in favor of tabling, Legislator ••

**LEG. HORSLEY:**

One, two; Lou, you're tabling?

**LEG. D'AMARO:**

Yes to table based on what •• the dialogue we heard.

**CHAIRMAN SCHNEIDERMAN:**

There may not be enough •• that's three, you need four table •• I'll support the tabling so the bill doesn't die. And then opposed to tabling was ••

**LEG. KENNEDY:**

I'll abstain.

**LEG. ROMAINE:**

Opposed.

**CHAIRMAN SCHNEIDERMAN:**

•• Legislator Romaine and abstain. Okay, so it is tabled then.

***Tabled (VOTE: 4•1•1•1 Opposed: Legislator Romaine • Abstention: Legislator Kennedy • Not Present: Legislator Montano).***

***1991•06 • Authorizing the purchase of hybrid•electric support vehicles and accepting and appropriating Federal Aid (80%), State Aid (10%) and County Funds (10%) in connection with this purchase (CP 5658) (County Executive).*** Motion by Legislator D'Amaro, second by Legislator Browning. All in favor? Opposed? Abstentions? ***Approved (VOTE: 6•0•0•1 Not Present: Legislator Montano).***

***1992•06 • Authorizing the purchase of hybrid•electric transit buses for Suffolk county Transit including radios, fareboxes and spare components and including audit and inspection during manufacturing and amending the 2006 Capital Budget and accepting and appropriating Federal Aid (80%), State aid (10%) and County Funds (10%) in connection with this purchase (CP 5658)(County Executive).*** Same motion, same second. All in favor? Opposed? Abstentions? ***1992 is approved (VOTE: 6•0•0•1 Not Present: Legislator Montano).***

***1993•06 • Amending Resolution No. 1325•2005 for participation in construction in connection with the reconstruction/widening of CR 3***

**• Wellwood Avenue Bridge over the Southern State Parkway, Town of Babylon (CP 5851)(County executive).**

**MR. ZWIRN:**

Mr. Chairman, if I might on this one. There are a couple of words in here that the •• we're going to have to amend this bill. It's an important bill, but we're going to ask for it to be tabled. We may come through with a CN at the General Meeting, but we will have an explanation at that time. It's just something that our office just missed as we read through all the bills this month, there were a couple of ••

**CHAIRMAN SCHNEIDERMAN:**

I'll make a motion to table.

**MR. ZWIRN:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Horsley. All in favor? Opposed? Abstentions? **Tabled (VOTE: 6•0•0•1 Not Present: Legislator Montano).**

**2008•06 • Appropriating funds in connection with the modifications**

***to a warehouse at the Board of Elections.*** Motion by Legislator Horsley, second by Legislator Browning. All in favor? Opposed? Abstentions? **2008 is approved (VOTE: 6•0•0•1 Not Present: Legislator Montano).**

***2023•06 • Adopting Local Law No. 2006, a Local Law to add ecological heath and marine productivity as acceptable criteria for County dredging projects (Schneiderman).*** It has to be tabled for a public hearing, so I'll make that motion. Second by Legislator Romaine. All in favor? Opposed? Abstentions? ***It's tabled (VOTE: 6•0•0•1 Not Present: Legislator Montano).***

***2031•06 • Directing the Department of Public Works to solicit proposals to provide a temporary lane and traffic safety equipment and personnel along County Road 39 during peak traffic times in 2007.*** This is the RFP. I'll make a motion to approve.

**LEG. D'AMARO:**

Motion to table.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to table by Legislator D'Amaro. Is there a second on the tabling motion?

**LEG. HORSLEY:**

Second to table.

**CHAIRMAN SCHNEIDERMAN:**

All right. On the motion?

**COMMISSIONER BARTHA:**

Mr. Chairman?

**CHAIRMAN SCHNEIDERMAN:**

Mr. Commissioner?

**COMMISSIONER BARTHA:**

We would like 60 days to do this RFP rather than 30 days.

**CHAIRMAN SCHNEIDERMAN:**

Is that the only objection?

**COMMISSIONER BARTHA:**

Yeah; I'm finished fighting.

**CHAIRMAN SCHNEIDERMAN:**

Well, the reason why the short turnaround time was just simply so it could be part of the budget process.

**COMMISSIONER BARTHA:**

I assumed that, and if that's a problem we could do a cost estimate that could be the basis for the operating budget rather than require the R •• hastily put out an RFP that may not cover everything and have disputes later on.

**CHAIRMAN SCHNEIDERMAN:**

Well, I would be willing to do what we did with the other bills if we could move it and then I could add on an additional 30 days. I'm just concerned that we're not going to act in time and have this number as part of our budget process.

What the bill basically does is it asks the Department of Public Works to solicit proposals from private companies to what it would cost to set the cones up as DPW did this year from May 1st I think to October 1st, and it also includes Friday evenings. We've succeeded so far in getting the workforce out there, we have the workers but we don't have the customers. We have a real problem on Friday evenings when most of the second homeowners and the tourists come out and the bottle neck is probably worse than it is even in the mornings. And what happened in the original bill for this year, DPW simply couldn't do the evening hours because of traffic safety issues, and so the idea was maybe a private company that specializes in road safety such as, you know, when a lane is closed, a highway company, often even at night, will provide this kind of a •• you know, the guys with the red flags and the cones,



etcetera, and some illumination.

My concern is we wouldn't be able to fund it for next year because we wouldn't have money in the budget and the idea was to get a number that we could work with in terms of what the cost was. And I'm very hesitant to not move forward at this point because it could mess that whole process up. Mr. Zwirn?

**MR. ZWIRN:**

I just have •• I'm just curious, have the unions •• AME has seen this and they don't have any problem with us privatizing the DPW work out there on County Road 3?

**CHAIRMAN SCHNEIDERMAN:**

Right now •• I mean, there still would be DPW work. DPW can't do the Friday nights, so it's new work, it's not jeopardizing any jobs. The police will still have to provide the police patrol.

**MR. ZWIRN:**

And Supervisor Heaney has said that that's okay, he has the funding to do that?

**CHAIRMAN SCHNEIDERMAN:**

What will happen, I believe, if this were to happen, is there would be less

police necessary because you' d have more road safety personnel. Under the current program, which has been terrifically successful, the employees are all on overtime and that's leading to a lot of fatigue. And I know people enjoy having the overtime, but it's impacting other functions of the department and so in an effort to keep Southampton's costs down, to help the workforce at DPW and to give us kind of an estimate as to what it might cost. I know the County Executive is often in favor of this type of private •• you know, I wouldn't use the privatization, but using an independent contractor to do this type of work; and obviously it would all be union contractors, it won't be •• you know, it has to be.

**MR. ZWIRN:**

I was just asking if you were •• if you had made this. This wasn't his bill, so I was just asking if you had run that by.

**CHAIRMAN SCHNEIDERMAN:**

Right.

**LEG. BROWNING:**

Do you still think you need to talk to AME.

**LEG. D'AMARO:**

Mr. Chairman, also, has our own BRO examined the cost impact on this?

**CHAIRMAN SCHNEIDERMAN:**

There is no cost impact on doing an RFP. It just simply solicits what private companies would charge for it. There's no ••

**LEG. D'AMARO:**

Oh, this is only for the RFP itself.

**CHAIRMAN SCHNEIDERMAN:**

Right, we don't have to actually do it.

**LEG. D'AMARO:**

But the RFP, the substance of the RFP is for the County to take over the traffic control; is that correct?

**CHAIRMAN SCHNEIDERMAN:**

It would ••

**LEG. D'AMARO:**

I'm sorry, not the County, to have a private company come in and direct the traffic on the County Road?

**CHAIRMAN SCHNEIDERMAN:**

It would •• right, you would have a road safety company like a highway company would come in and set up, potentially set up the cones and the traffic flow, the people who were directing traffic flow.

**LEG. KENNEDY:**

Mr. Chair?

**CHAIRMAN SCHNEIDERMAN:**

You know, you have to realize, this has been •• this is a project that goes on at 5:30 in the morning and it's over by nine o'clock. If the County •• and we heard some testimony earlier. If the County wants to do it and we're willing to pay for it, this isn't necessary unless we run into a stumbling block with the town and its ability to provide the police services. So this proposal actually did the cones and provided some traffic safety officers and it added Friday nights which is really essential. I'm being told the County won't do the Friday nights and I'm trying to figure out a way to add that Friday night, so I thought this was the only pathway to do that.

**LEG. D'AMARO:**

If I may, just very quickly. If the County is not doing the Friday nights, it must be a dollars and cents issue, I would assume.

**CHAIRMAN SCHNEIDERMAN:**

It's a safety issue, I believe. They don't have illumination to do it.

**LEG. D'AMARO:**

All right. So ••

**CHAIRMAN SCHNEIDERMAN:**

Is that correct, Mr. Bartha?

**COMMISSIONER BARTHA:**

That's correct. We're very concerned about working at night as well as in the mornings, at this point.

**LEG. D'AMARO:**

So we'll put the private entities in harm's way.

**COMMISSIONER BARTHA:**

Well, they're better equipped for it with lights and that's part of what the RFP will include, the lighting they would need along the road, such as you see along 347 and the Expressway when they do night work.

**CHAIRMAN SCHNEIDERMAN:**

Right, it's equipment.

**LEG. KENNEDY:**

Can I get in here at some point?

**CHAIRMAN SCHNEIDERMAN:**

No, that's an important point. The county doesn't have the equipment, that's part of their problem. All right, Legislator Kennedy.

**LEG. KENNEDY:**

I need to understand this a little bit more because I am concerned. It's ironic that Mr. Zwirn was concerned that he and I agree on. You know, I'm not in favor of privatization, by any means, of County workforce. So who has done the work associated with this project during the course of it over these past weeks that it's been in place?

**COMMISSIONER BARTHA:**

The Public Works Department has developed the detour plan. We have ••

**LEG. KENNEDY:**

Who's setting the cones?

**COMMISSIONER BARTHA:**

We're setting the cones.

**LEG. KENNEDY:**

We; we meaning County ••

**COMMISSIONER BARTHA:**

DPW is setting the cones.

**LEG. KENNEDY:**

County laborers, County employees are setting the cones.

**COMMISSIONER BARTHA:**

The Southampton Police is providing the police presence, the Sheriff has some presence out there as well.

**LEG. KENNEDY:**

What's the time period that's gone on at this point associated with this project; is it all daylight hours or has it ••

**COMMISSIONER BARTHA:**

No, no, it's only until nine o'clock in the morning. It's from like 5:30 in the morning till nine o'clock in the morning.

**LEG. KENNEDY:**

Okay. So we're in the middle of summer so we have daylight, it's usually, I guess, kind of light at this point.

**COMMISSIONER BARTHA:**

Not anymore; when we started it was, but not anymore.

**LEG. KENNEDY:**

So we have County personnel right now that are operating during these periods where we have this concern about illumination.

**COMMISSIONER BARTHA:**

That's correct.

**LEG. KENNEDY:**



And we don't have any mobile spotlight, equipment at all that can be put out there?

**COMMISSIONER BARTHA:**

We have some.

**LEG. KENNEDY:**

Are we using it?

**COMMISSIONER BARTHA:**

Yes.

**LEG. KENNEDY:**

And so in order to be able to go ahead and continue to do this with County personnel, we would need what? We would need to rent more spotlights?

**COMMISSIONER BARTHA:**

We'd have to rent more spotlights, in the meantime the roads wouldn't be getting striped.

**LEG. KENNEDY:**

Now, I hear that what these people are doing is a task away from what they might have been doing else wise.

**MR. ZWIRN:**

It's only another month, it only has another month to run, so it will be over by •• I think it's September 15th is the day.

**COMMISSIONER BARTHA:**

Right, we've agreed to continue till September 15th.

**LEG. KENNEDY:**

And we're not paving the roads anyhow, so we don't have to be concerned about striping them. I mean, maybe by September 15th we'll be paving.

**COMMISSIONER BARTHA:**

Striping usually lasts about a year on the existing road, so we replaced them, each year we're painting whether we pave or not.

**CHAIRMAN SCHNEIDERMAN:**

I mean, I think there's a couple of choices. One is that the Department of Public Works, if they're going to handle it, has to take on more staff, and if

they're going to add Friday nights, they're certainly going to have to take on more equipment and that's going to have to be budgeted for. But, I mean, on this issue of having outsiders do County work, I mean, I think you all have to recognize that there are other things in the Department of Public Works that get contracted out, a lot of the carpentry services, painting services, it's all union work but it doesn't all get done by •• millions of dollars go outside and this is a •• we're not talking about millions of dollars here.

**COMMISSIONER BARTHA:**

That's correct. I would view this similar to when we have a construction project on a road and you have maintenance and protection of traffic as one aspect of the work and the contractor provides that. In this case, we don't have construction work going on but we have maintenance and protection of traffic for a detour that we have established.

**LEG. D'AMARO:**

Excuse me, Mr. Chairman, just very quickly.

**CHAIRMAN SCHNEIDERMAN:**

Legislator D'Amaro?

**LEG. D'AMARO:**

Is it a •• is this a groundbreaking type of project in the sense that it's not common for the County to simply •• not in connection with a road construction or other type of infrastructure project to actually provide traffic

services; has this been done in the past?

**COMMISSIONER BARTHA:**

No.

**LEG. D'AMARO:**

It hasn't been done in the past.

**COMMISSIONER BARTHA:**

Not to my recollection.

**LEG. D'AMARO:**

Isn't the normal response to this type of problem to look at a Capital Project and say how can we improve the roadway?

**COMMISSIONER BARTHA:**

Well, in fact, we have and the County Executive had a press conference this morning out there. We have •• our highway engineers have developed an interim plan as opposed to this \$70 million Federal•type project that we have in the Capital Program for about \$13 million to do the work within the existing right•of•way. And the project that we had this past summer in conjunction •• that was really instituted at the behest of Legislator Schneiderman, gave birth to this truncated Capital Program within the

existing right-of-way, the poles, the electric and telephone poles will be moved back and we'll be able to have two lanes all the way from the Sunrise Highway merge to County Road 38, the village of Southampton.

**LEG. D'AMARO:**

And that's a truncated program, as you said, that would be about 13 million?

**COMMISSIONER BARTHA:**

That's correct.

**LEG. D'AMARO:**

And what would be the construction time on a project like that?

**COMMISSIONER BARTHA:**

There's a bridge where we have to replace, St. Andrew's Road Bridge with the prefabricated culvert section which we would look to start next winter, I believe, is the plan. Let me let Bill address the schedule. I know it's passed next Friday, that's all, this Friday.

**MR. HILLMAN:**

We would hope to have the bridge construction begin this coming winter and actually complete the bridge for hopefully Memorial Day, that is the goal.

And then the following •• we would also hope to then begin the roadway widening on •• shortly after Labor Day and complete it the following Memorial Day.

**LEG. D'AMARO:**

So that would be a solution in lieu of what the services the RFP that we're discussing today would solicit; is that correct?

**CHAIRMAN SCHNEIDERMAN:**

You wouldn't need it after that.

**COMMISSIONER BARTHA:**

The work that would be completed in 2008 would ••

**LEG. D'AMARO:**

And we're already providing the services through September 15th; is that correct?

**COMMISSIONER BARTHA:**

That's correct.

**CHAIRMAN SCHNEIDERMAN:**

So all we need is 2007. We have a whole year, that's the problem.

**LEG. D'AMARO:**

Oh, did you say 2008?

**CHAIRMAN SCHNEIDERMAN:**

Yes.

**MR. HILLMAN:**

The roadway widening would not be complete until 2008.

**LEG. D'AMARO:**

I see.

**CHAIRMAN SCHNEIDERMAN:**

This gets us through next year and adds Sunday. It itself doesn't, it would only give us a number for a Capital Project what it would cost, and then we would either have to amend the Capital Budget or add, when we do the Capital Budget, this item.

**LEG. D'AMARO:**

You know, just my own position, I feel that the County to go down the road of starting to take on Capital Projects for traffic, directing traffic, I think is probably a road, no pun intended, that we want to •• not that we don't want to go down.

**CHAIRMAN SCHNEIDERMAN:**

The other choice, there really isn't another choice that I can see right now. DPW could continue what it did this year with, I guess, additional staff, but I would urge if we didn't pass this that they get the equipment and do Friday nights, because that really is hurting the economy out there; it's taking far too long to get out there. We have a lot of second homeowners, a lot of tourists and people are choosing other destinations who can, and those who can't are getting out there pretty frustrated. It would be nice for that one year interim, before we have that widened road, and I have to congratulate the County Executive and the Department of Public Works for finally getting a plan together that will give us some relief. But we still have that one year gap now, to 2008, and that's what I'm looking for, to give us all the tools we need to make the best decision. We made •• if this RFP goes out and we have some numbers, it may turn out that we can do this cheaper ourselves than using private contractors, it may not •• we may not choose to go that route. This would just give us a number that we could use in moving forward in making the most educated decision. Can we discharge it without recommendation?

**LEG. ROMAINE:**

(Inaudible).



**LEG. HORSLEY:**

Where is the County Executive on this?

**LEG. D'AMARO:**

We're only talking about the one year here.

**CHAIRMAN SCHNEIDERMAN:**

One year.

**LEG. D'AMARO:**

It seems to me that the County Executive's Office, working also with your prompting of the issue to begin with, has addressed the issue this year.

**CHAIRMAN SCHNEIDERMAN:**

And he's been terrific.

**LEG. D'AMARO:**

And I don't know, do we need to go through this entire RFP process for four months next year? It doesn't •• it seems like a lot of resources for a project •• for something that actually, you know, we have the truncated Capital

Project that could come on line and resolve the problem, it's just I'm not convinced that we really need it, to be honest and frank with you.

**CHAIRMAN SCHNEIDERMAN:**

I spoke with the County Executive this morning. You know, he's willing to talk about it, he was not on board right now with this RFP. So, you know, if it gets to his desk he may not support it, I don't know. I would like to continue this debate, I'd like to at least discharge it without recommendation, if it gets recommitted it will get recommitted. But we're up against a time clock here.

**LEG. D'AMARO:**

Mr. Chairman, I think I made a motion to table. I would just say call the vote on that and see where it goes.

**CHAIRMAN SCHNEIDERMAN:**

All right. So there was a motion to table; is there a second?

**LEG. BROWNING:**

I second.

**MS. ORTIZ:**

Yes, there was.

**CHAIRMAN SCHNEIDERMAN:**

All right, a second by Legislator Browning. All in favor of tabling? Okay, so there's two in favor of tabling. Three in favor of tabling;

Legislator D'Amaro, Legislator Browning and Legislator Horsley.

**LEG. KENNEDY:**

I abstain.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Opposed to tabling? I'm opposed. Legislator •• and then ••

**LEG. ROMAINE:**

I'm abstaining with Legislator Kennedy.

**CHAIRMAN SCHNEIDERMAN:**

Okay, Legislator Romaine and Legislator Kennedy abstaining. I'm going to make a motion to discharge without recommendation, so we could at least ••

**MR. NOLAN:**

The tabling motion ••

**CHAIRMAN SCHNEIDERMAN:**

Failed.

**LEG. D'AMARO:**

It's tabled.

**MR. NOLAN:**

No, it's tabled; it's 3•1•2, so it passes. It doesn't need a majority, it needs a majority of the voting.

**LEG. ROMAINE:**

What is this?

**CHAIRMAN SCHNEIDERMAN:**

Well, how do you get there?

**MR. NOLAN:**

It's three.

**CHAIRMAN SCHNEIDERMAN:**

We need to be clear on this.

**LEG. BROWNING:**

Ed and John abstained.

**CHAIRMAN SCHNEIDERMAN:**

There's six of us.

**MR. NOLAN:**

It doesn't need to get four.

**LEG. ROMAINE:**

If you have six members present, it needs to get four votes; there are seven members on this committee.

**LEG. BROWNING:**

There's two abstentions.

**CHAIRMAN SCHNEIDERMAN:**

But to table, you only need the majority of those present.

**MR. NOLAN:**

It's only the majority of those voting.

**LEG. ROMAINE:**

Okay, there's six people voting.

**MR. NOLAN:**

Right, but two abstained.

**LEG. ROMAINE:**

That's still considered a vote.

**MR. NOLAN:**

I'll check the rules right now, but I believe it's ••

**LEG. ROMAINE:**

Parliamentary procedure, check Robert's Rules which I believe is the governing ••

**P.O. LINDSAY:**

We don't have to do that, I'll vote.

**LEG. HORSLEY:**

We have another vote to table.

**CHAIRMAN SCHNEIDERMAN:**

All right. Legislator •• Presiding Officer Lindsay has voted to table as well, so the tabling does prevail. Thanks, Bill. ***Tabled (VOTE: 4•1•2•1 Opposed: Legislator Schneiderman • Abstentions: Legislators Romaine & Kennedy • Not Present: Legislator Montano).***

**CHAIRMAN SCHNEIDERMAN:**

Okay, so that got tabled, so we're up to 2037.

You know, I should pause for a second because I know the Presiding Officer had meetings earlier and he had wanted to come in here. Knowing that it's Commissioner Bartha's last day •• not the last day, but at least the last appearance in front of this committee, I wanted to give the Presiding Officer an opportunity to say anything he might or bid farewell to our fine Commissioner.

**LEG. LINDSAY:**

Just to wish you well, Charlie, and thank you for all your years of service to the County.

**COMMISSIONER BARTHA:**

Thank you, Bill. And it's always been a pleasure dealing with you, both before the Legislature, during and as Presiding Officer.

**CHAIRMAN SCHNEIDERMAN:**

All right, so let's finish our agenda, we only have three more to go.

***2037•06 • Amending the prior capital authorized appropriations for the construction of the helicopter hangar for East End Operation, Gabreski Airport (CP 3167)(County Executive).*** I'll make a motion, second by Legislator D'Amaro. On the motion, Mr. Zwirn, did you want to say something on this, or not?

**MR. ZWIRN:**

It's just taking I think \$100,000 from construction to put it into planning of the modular that will hold two helicopters out at the airport. It's a lot less expensive than we had anticipated a couple of years ago, because we're going with a modular instead of the brick and mortar.

**CHAIRMAN SCHNEIDERMAN:**



Okay. So all in favor? Opposed? Abstentions? 2037 is approved (VOTE: 6 •0•0•1 Not Present: Legislator Montano).

***2038•06 • Amending the 2006 Capital Budget & Program and appropriating additional funds in connection with the improvements to County Center, C001 Riverhead • Phases I Renovations to the South Wing for the Health Department Mammography Unit (CP 1643)(County Executive).*** Motion by Legislator Romaine, second by Legislator Kennedy.

**LEG. KENNEDY:**

On the motion, Mr. Chair?

**LEG. ROMAINE:**

Yeah, we both have ••

**CHAIRMAN SCHNEIDERMAN:**

On the motion, Legislator Romaine and Legislator Kennedy.

**LEG. ROMAINE:**

Yes, I see that this is a motion to amend the Capital Budget & Program. You're taking the money from where for this?

**MR. ZWIRN:**

It's from the project to redo the Health Center in Riverhead.

**LEG. ROMAINE:**

Is there a project to redo the Health Center? I thought there was ••

**MR. ZWIRN:**

Well, they're doing work in the health •• they're doing modifications within the Health Center internally, and we've been desperately looking for space to put this mammography unit.

**LEG. ROMAINE:**

And where's the space that you're going to be looking?

**MR. ZWIRN:**

They're moving things up. They had to move a great deal of office space and whatever else on the first floor to the second floor, because originally I think they looked to put this on the second floor but it's so heavy that structurally the building couldn't handle it. So they have •• it's going to cost them some money and they had to some major renovations, but we have found space and we put this in as a later starter. As soon as ••

**LEG. ROMAINE:**

Found space within the Health Department.

**MR. ZWIRN:**

Because they were redoing the Health Center.

**LEG. KENNEDY:**

The upstairs vacated; Waste Water Management, as a matter of fact, vacated Riverhead and went to Yaphank. So that space is now surplus space and I guess you took, what, some of the administrative function from ground floor and moved it upstairs.

**MR. ZWIRN:**

Moved it upstairs.

**LEG. ROMAINE:**

Well ••

**MR. ZWIRN:**

And that became available, we took advantage of it and moved as quickly as we could.

**LEG. KENNEDY:**

This equipment, how long is it going to take to actually go ahead and acquire this equipment so that it's actually going to be functional?

**MR. ZWIRN:**

I don't know the answer to that, but I will get back to.

**LEG. KENNEDY:**

We can expect maybe like, you know, within 12 months period of time or so?

**MR. ZWIRN:**

I would think so, but I'll get back to you. That information I should be able to get, I don't have it with me at the present time, but I'll let you know as soon as I find out.

**LEG. ROMAINE:**

Could you make us aware of this by next Tuesday if we ask those similar questions?

**MR. ZWIRN:**

Oh, I will tell you before next Tuesday if I know the answer.

**LEG. ROMAINÉ:**

I know, I don't want to put an undo burden on you, but if you could •• within the next week, if you could make us aware. I had another suggestion to the Health Commissioner which probably won't require too much movement of anyone, and that was to use the County Exec's suites which is mostly unused there, has a bathroom and is immediately adjacent to the health center on the first floor.

**MR. ZWIRN:**

I don't think it would have been big enough. This is a big •• this is a big ••

**LEG. ROMAINÉ:**

No, you need about a thousand square feet. If you took his office and the adjoining two or three secretary offices there, you probably would have more than enough room for that, knowing the building as I do.

**MR. ZWIRN:**

No, I hadn't •• I think we wanted to put it where the other ••

**LEG. ROMAINÉ:**

Because that space is essentially unused now. That's why I was wondering why it took so long when there was unused space, you know, in the County Center.

**LEG. KENNEDY:**

My other ••

**MR. ZWIRN:**

I think we wanted to put it with the Health Department, if possible, so we can keep the personnel all together.

**LEG. ROMAINE:**

It's immediately adjacent to the Health Department, as you know, it's immediately across the hall.

**LEG. KENNEDY:**

My other question associated with this is space being what it is, as a matter of fact, you know, the fact that you found it at all, the fact that you're using the upstairs portion I think is excellent. But I would imagine this piece of equipment is going to draw a substantial amount of power in order to operate as well. Charlie, that building, we were chronically, chronically at a loss associated with power; how is that going to be addressed to the operation of this equipment?

**COMMISSIONER BARTHA:**

That •• the power is being completely redone in that building as part of this project.

**LEG. KENNEDY:**

So this is something that's just being included in whatever the overhaul is, as the electrical service.

**COMMISSIONER BARTHA:**

That's correct. What this is is money for both planning and construction to accomplish this; this will be accomplished as extras to the existing contracts.

**LEG. KENNEDY:**

Okay. All right, thank you. Great. A good move. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

All right. So we had a motion and a second. All in favor? Opposed? Abstentions? **2038 is carried (VOTE: 6•0•0•1 Not Present: Legislator Montano).**

Moving on to **Memorializing Resolution 063•2006 • Memorializing**

***Resolution in support of safe and sustainable procurement (Stern).***

Do we have a motion?

**LEG. HORSLEY:**

Motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion to approve by Legislator Horsley, second by Legislator Browning. All in favor? Opposed? Abstentions? ***Resolution M063 is approved (VOTE: 6•0•0•1 Not Present: Legislator Montano).***

That concludes our agenda. Again, Mr. Bartha, best wishes as well as you, Ms. Mitchel.

**COMMISSIONER BARTHA:**

Thank you.



**CHAIRMAN SCHNEIDERMAN:**

And good luck. We are adjourned.

***(\* The meeting was adjourned at 4:31 P.M. \*)***

***{ } Indicates Spelled Phonetically***